

Statement Travis Serafin

Q This is Investigator Al Larson. Today is Monday, April 23, 2018. The time is 12:51 PM. We are at the Eden Prairie city offices and will be interviewing Detective Travis Serafin, badge #77 regarding administrative investigation case #18013982. Also present in the room is Andy Rohde. At this time you are considered to be the subject of an administrative investigation involving some allegations of employee misconduct. Have you already been advised as to the nature of this investigation?

A I received a letter that just stated some concerns that a judge had and that's basically just a little paragraph on that.

Q That's the letter you got from the Chief of Police?

A Yes.

Q And in the letter did it also say that Larson was...

A Yup.

Q The authority to do the investigation?

A Yes.

Q Ok. I want to establish that. Before we get started there's some advisory information that I have to read to you. The first thing is a waiver of attorney representation. Now when we spoke on the phone earlier, I think I mentioned that you had the right to bring representation including an attorney with you. Is that correct?

A Yes.

Q And I can see that you haven't now. So what I'd like you to do is look at this. This is called the Waiver of Attorney Representation. It says that I hereby agree to participate in an interview without having an attorney present during these proceedings. Is that something that you agree to?

A Yes.

Q Ok. If you could sign that for me please and maybe Mr. Rohde could witness it. Please.

A And the date again?

Q 23<sup>rd</sup>.

A 23<sup>rd</sup>. 23?

Q 23. Ok. The next one we have, if you could look at this one. This is called the Notice of Collection of Data, referred to as the Tennessen. It says, notice regarding collection of data the Tennessen Warning is required under Minnesota State Statute 12.04 sub 2. When an individual is asked to supply private or confidential data concerning themselves. So you're hereby advised pursuant to Minnesota Statute 14.02 that data is being collected for the purpose of investigating allegations regarding your conduct as an employee of the City of Eden Prairie. The City intends to use this data as part of its investigation into the allegations concerning your

conduct as an employee of the City of Eden Prairie. You can refuse and are not legally required to supply the data but the consequences of refusing to supply the data are as follows: Any information supplied by you will be used in the investigation process and may determine any discipline including suspension and/or discharge. Your refusal to supply any requested data will be used by the City in determining appropriate discipline including suspension or discharge. And then it says discipline that may be imposed for refusing to answer any question including a wide range of discipline from oral and/or written reprimand and warning to suspension or discharge. Some of the data provided by you may be provided to those parties authorized and/or required to receive the data as specified in the Minnesota Government Data Practices Act and other applicable state and federal statutes. Do you understand that?

A Yup.

Q Ok. Can you just sign that for me please and Mr. Rohde can witness. The last one we have is the Notice of Garrity Warning to Employee. It says you are being interviewed by Al Larson. The name of the employee obviously is Travis Serafin.

A Um, hum.

Q The purpose of this interview is to collect information regarding allegations of misconduct raised against you. The information collected may be used by the City in administrative proceedings such as a grievance procedure, termination proceeding, suspension or other disciplinary proceedings. The information may also be used in a civil litigation. You are required to provide all requested information regarding yourself, other employees and individuals having business with the City which may relate in any way to your employment with the City, the business of the City or the conduct of City employees whether or not the information is private or confidential. Failure to refuse to provide the information will be considered insubordination and shall result in disciplinary action taken against you, including possible termination of employment. Information provided during the course of this interview and the fruits of such information will not be used against you in any criminal proceedings. Providing false or misleading information during the interview will be considered insubordination and shall result in disciplinary action against you including possible termination of employment. The information which you provide during this interview may be released to the City Council, city administration, the agents of the City, City Auditor, State Auditor's Officer, Minnesota Attorney General, the Department of the Human Rights, the Equal Opportunity Employment Commission, the BCA, law enforcement agencies, and other individuals directly or indirectly involved in the matter discussed including complaints and witnesses, other employees of the City, members of the public and representatives of such individuals. By signing below you acknowledge you've been given an opportunity to read this notice prior to being interviewed and a copy will be provided upon request. If you could sign that for me and date it.

A Ok.

Q Thank you. That one doesn't require a signature. Ok. Would you state your full name and spell your last name, please?

A Yup. Travis Richard Serafin. S-e-r-a-f-i-n.

Q And where do you work?

A City of Eden Prairie.

Q And ah, how long have you worked for the City of Eden Prairie?

A Ah...almost 18 years now.

Q What's your current position?

A Detective.

Q And how long have you been a detective?

A Four and a half years.

Q Ah, who is your current supervisor?

A Brent DuPont and/or Chris Wood

Q Ok. You also have a supervisor on the Drug Task Force?

A Yes, ah, [REDACTED]

Q And how long have you been on the Drug Task Force?

A Ah, four and a half years.

Q Ok. And as an officer for quite a few years, I'm sure you're familiar with the Eden Prairie Police Department policies and rules and regulations.

A Yup.

Q I'd like to draw to your attention just a couple of them right now. The first one is Directive 3.02 Personal Conduct and the thing I'm looking at here is under the Code of Principles 1, b2. It says, peace officers shall not knowingly disobey the laws or rules of criminal procedure in such areas as interrogation, arrest, detention, search and seizures, use of informants and preservation of evidence. Is that something that you're familiar with?

A Yeah.

Q Ok. And the other one is Principle 2, b3. It says peace officers shall truthfully, completely and impartially report, testify and present evidence including exculpatory evidence in all matters of an official nature. Are you familiar with that one?

A Yeah.

Q Ok. Next one I have is Eden Prairie Police Department Policy 8.09 Search and Seizure and under A1 it says, search warrants shall be executed at and the search shall be made of only places or places described in a search warrant. That's something you're familiar with?

A Yeah.

Q Ok.

A Yes.

Q Can you just describe your brief duties and responsibilities as a detective on the Task Force?

A Well, I ah, investigate controlled substance cases and the five cities where arrests are made. Um...ultimately when an officer makes an arrest they contact me and then I investigate those. I also investigate um, multiple cases recently involving um 3<sup>rd</sup> Degree Murder where we've had victim's overdose and die.

Q Ok.

A And ah...assist agencies with those.

Q As part of your duties you read and write police reports, is that correct?

A Correct.

Q You also draft and execute search warrants?

A Yes.

Q In your time as a police officer, how many search warrants to you think you've probably executed?

A Hundreds. I - I hundreds since I've been on the Task Force.

Q Quite a few then.

A Quite a few, I couldn't put a number on it.

Q Do you think in that amount of time with those amount of warrants you would get pretty good at writing search warrants?

A Yes.

Q Ok. Are they complicated to write or are they pretty simple?

A It all depends on the case but...

Q Ok.

A For the most part they're fairly simple.

Q I want to show you a copy of a blank search warrant and this consists of three pages. It doesn't have a probable cause section.

A Um, hum.

Q The first one is called Application 1-1.

A Um, hum.

Q And then there's Application 1-3 and the probable cause section goes in the middle. And then there's 2-1 which is the actual search warrant. So I want to show you this so you recognize this obviously.

A Yes.

Q And this is the document that you've worked with quite a bit?

A Yes.

Q What's the purpose of a search warrant? Why do you need one?

A I need one for probable cause to...I gotta show probable cause to go in and search for items to prove a case.

Q Ok. Um, do you need judicial authority to go look at something?

A Yes, I do. If I'm gonna violate someone's...if I'm gonna, if I'm going to ah search someone's property or persons.

Q You need permission from a judge to do that?

A Correct.

Q Ok. And that's the purpose of a search warrant. Is that what you're sayin' there?

A Yes.

Q Ok. Ah, I'd like you to walk through explaining the process for the search warrant. Now I understand there are two ways you can do a search warrant nowadays. You can do one by paper and you can do one electronically. Which way do you do 'em now?

A Um, I usually do 'em now both way. Ah, at time I was, um...electronically the majority of mine now are happening electronically, um, but I'm also doing um, in-person with a signing judge.

Q Why would you do it one way or another?

A Ah, depends on the case and if I feel the judge is gonna have multiple questions in regarding to 'em.

Q So when you do it electronically there's no opportunity for the judge to ask you questions?

A There is, they can call me but the face-to-face, sometimes I feel more comfortable with that.

Q Ok. That's fair enough. Um, so when you, let's talk about a paper search warrant. When you draft a search warrant, you've got the blank application here. Do you just put that in the typewriter and type it up or what do you do?

A Yeah, I just fill in the blank and add in um, different elements of it that I'm looking for and, and print it out.

Q But what I'm getting at is do you use a typewriter or do you use a computer?

A Oh, I use a computer.

Q Ok. Now when you use a computer do you have like templates in the computer?

A Yeah.

Q I want to show you a #3 here and this is just sort of a drop down menu and I'm sure you recognize it, you've seen this before. The print is a little small, I apologize. But the print in here basically shows just different types of warrants. For example, if you wanted a narcotics warrant with daytime no-knock premises only would you select that drop-down menu and hit the key? Is that how that works?

A Yeah. Usually.

Q So when you did, when you do pick a drop-down menu and you hit one of the keys and the warrant starts to print out, why is there a dropdown menu. Are these warrants different when the printout comes out?

A Ah, yes.

Q Ok. And how would they be different?

A Ah, based on what stuff's added in and what you're actually looking for um in your application of your search warrant.

Q So if you wanted a warrant to only search a person and you put person in there, would it automatically strike the property and the vehicle's?

A Yes.

Q So and congruously, if you're looking for just vehicle's and you pick that dropdown menu, would it strike person's and property?

A Yes.

Q So that's basically just a short-cut, is that what...(talking over each other)

A Yes.

Q Do this...

A Yes.

Q Ok. Now if you pick a narcotics search warrant, does it put in some ah, ah, language about the types of searches, you know, like controlled substances not to be eliminated but including...

A No, it doesn't.

Q It doesn't put any language in there?

A I have to put that in.

Q You have to put in all that all the time?

A Yeah, I put that in all the time.

Q Ok. I want to show you something, we're gonna move ahead just a little bit. This language in here...

A Yes.

Q And I'm just gonna start by reading a sentence...controlled substances included but not limited to and then it talks about packaging equipment and stuff like that. Do you have to routinely type it all in or when you pick a dropdown menu does it pick some of this and then you answer like the word heroin instead of ah methamphetamine or something like that?

A I don't...I don't even know. Um...

Q Is some of this language in the description in there already when you, when you type it in? Let me put it this way, when you bring up the search warrant template...

A Yeah.

Q And you select the type of warrant, a screen comes up, correct?

A Correct.

Q And then when the screen comes up does it have some little dropdown menus of boxes where you type things in?

A Yes.

Q Like you're typing in a description of this or a description of that?

A Yes.

Q So is it safe to say that some of this is just boilerplate, not all of it. You'd have to put some in?

A Yes.

Q Ok. Ok. So, we've established the fact that when you pick a certain type of warrant the warrant strikes certain things, is that correct?

A Yes.

Q Like premises. Now, a warrant consists of two parts, the application and the actual warrant, correct?

A Correct.

Q And then you insert a probable cause portion in the middle and that's just something you've typed up and word processed, right?

A Correct.

Q That's not actually part of these templates, right?

A Correct.

Q Ok. So when you type up a, like it says vehicles to be searched or persons to be searched. There's a blank space in Page 1-1 of the warrant. When you type it into here, does it automatically go some place else?

A Yeah, it, ah, when I type it into there it should go to the warrant page.

Q Ok.

A 2-1.

Q So when you type ah, if you're lookin' for a, a blue Chevy...just say...if you type the word blue Chevy in what you're searching for would it also put that on the warrant page?

A Yes.

Q So it auto populates back that way.

A Yes.

Q Ok. Good. All right. Um...now, after you draft the warrant and you put your probable cause statement in and it's all together and you've looked at it and you like what it is, what do you do next?

A I go get it signed by the judge.

Q Go get it signed by the judge. What's the process there?

A Um...typically, I go in front of the judge and under oath have them swear me in and they read through the search warrant and ah feel there's enough, if they decide there's enough probable cause, enough evidence they'll sign that search warrant.

Q And once again, just to clarify, why do you need a judge?

A Ah, because I'm asking to um, search someone's person or property.

Q Ok. And what's the next step after you get it signed?

A Ultimately execute it.

Q Execute the search warrant.

A Correct.

Q Search for the specific things that you're looking for that you listed in the warrant?

A Correct.

Q Ok. Ok. And once you've executed the warrant are there some pages that you attach. I think it's called property inventory?

A Yes, I call them the page 5.

Q Ok. Now are those the, is that just a – a handwritten page that writes down what you took?

A Yes.

Q Ok.

A Well located.

Q Ok. And you have to describe what it is and do you also have to put a little language in?

A Yeah, we describe where it, what it is and where we found it and who found it.

Q Ok. And you do that routinely?

A Yes.

Q Ok. Ok. Then, the next step when you're done with all that and your whole warrant's together and you have your application, your probable cause, your actual warrant and your inventory, what do you do with it next?

A Ah, ultimately scan that in um, at some point into my case file ah, when it's gonna be filed downtown or through the courts.

Q And how does it get filed downtown through the courts?



A Ah, we usually um, drop it off ah and/or we have a pile downstairs um, with ah blue slips on it and other investigators get it down there.

Q Ok. Can I show you something that this is called an Ee-Filing Clerical Worksheet.

A Yup.

Q I apologize I didn't get the right color, but this is a half-sheet of paper and is supposed to be kind of a light blue. That look familiar to ya?

A Yes.

Q Ok. Would that be the blue half-sheet you're talking about?

A Yes.

Q So again, explain to me this blue half-sheet attaches to your original warrant and then what happens?

A Then it gets down to um, clerical and then gets scanned in.

Q So when you return from a search warrant and you got back to the DTF office.

A Yup.

Q And you have that original warrant with those original pieces of paper...

A Yup.

Q Do you attach one of these to it?

A Yeah, I usually complete it right away and have it in my file.

Q Ok.

A My paper file.

Q And then you have it in the paper file what do you do with it next? Do you put it in a bin someplace or do you deliver it yourself?

A Ah, either I will deliver it um...and/or one of my partners will deliver it. But, it'll make it's way into an E-filing bin downtown.

Q And when it gets to an E-filing bin downtown are you talking about the Sheriff's Office?

A Yes. Yeah.

Q And the clerical people there are the ones that file it with the court, is that correct?

A Yes.

Q Ok. So that's the process of how it gets filed with the court ultimately.

A Yes.

Q Ok. Ok. I want to ask you one more thing. There's a, there's a date on the top that says "today's date."

A Yes.

Q What does that mean to you? Is that the date that you attach this to it or the date that you put it in the bin or?

A That's the date I attach it to it?

Q The date you attach it to it?

A Yeah.

Q Ok.

A Yup.

Q So you would have attached this piece of paper to a warrant on that date?

A Yes.

Q So at the end of the day when you're done?

A Yes.

Q Ok. Are you familiar with ah the term computer forensics?

A Yes.

Q What does that mean to you?

A It means everything's in a computer, nothing goes away. And ah, you can go into that computer and find out everything about it ah short of the hard-drive being burnt.

Q Now, do you know what key-card access is?

A Ah, yes.

Q Do you have key-card access down at the DTF?

A Yes.

Q So you, when you have your little ID card and you swipe it, what happens?

A Ah, it makes a log that I was, that I swiped my card.

Q And it unlocks the door?

A Correct.

Q Ok. And you have key-card access for DTF, right?

A DTF here, yes.

Q Do you have key-card access for anyplace else?

A Ah, we have a fob for ah the 701 building which is downtown.

Q And what's in the 701 building?

A That's ah the sheriff's investigations area.

Q Ok. Sheriff's investigations is on one floor, is there another set of offices on another floor?

A Um, I - pffft, I always go to, I maybe have to look. The VOTF door.

Q What does VOTF stand for?

A Violent Offenders Task Force.

Q That's the door you always go to?

A Yeah.

Q So that door's locked?

A Yeah.

Q And in order to get in you need to do something?

A I either need to fob or if someone's walking in or go through the front desk if I leave my fob in the car.

Q Ok. But there's a fob?

A Yeah.

Q And that fob would have a log of access when you go in and out?

A Yeah.

Q Ok. Ok. Last year I understood that you got involved in an investigation of a guy named Timothy Holmes who was involved in the death of a Margaret Lane. And for the record, that's Eden Prairie case #17020941. Is that right?

A Yes.

Q And what was your role in that investigation?

A Ah assist Detective Staaf in locating Mr. Holmes and assisting him through the process of the multiple warrants, etc and things he needed to do to for that case.

Q Did you end up drafting a search warrant for 3312 4<sup>th</sup> Avenue #1 in Minneapolis?

A Yes, I did.

Q I'd like to walk through the process of how you went through drafting that search warrant, if we could. Did you dictate some type of a narrative PC portion, not dictate, but type up a narrative portion for that warrant?

A Yes, I did.

Q Ok. And when you typed that up, did you know that was going to be particularly for that address or could it have been for another address?

A Ah, it was particularly for that address, I believe.

Q Ok. I want to show you this is ah, let's see, five page document. First page is Application 1-2, then it's 1-2 a, b, c and 1-2 d and ask you if you recognize that?

A Yes, I do.

Q Ok. And what is it?

A Ah, it's the, it's the ah, it's the probable cause statement for my search warrant.

Q Ok. And do you remember when you wrote that?

A Um, not the exact day.

Q Did you write it all at once or was this a – a dynamic moving thing as you added probable cause.

A Ah...I think it was, it would have been. I don't recall if I did it all in one day or multiple days.

Q Ok. Um, for reference purposes. You got the search warrant signed on September 14<sup>th</sup>. Ok, if we can just lock that point in.

A Correct.

Q Um, in computer forensics done on this thing indicated that you created this document on September 13<sup>th</sup>, the day before. Does that sound about right?

A That sounds about right.

Q So you would have dictated this. This was the PC portion...

A Yeah.

Q On the 13<sup>th</sup>, right?

A Ok. Yup.

Q Now also, your key-card access shows on September 14<sup>th</sup> you arrived at DTF at 8:44 in the morning and you went in by key-card.

A Um, hum.

Q This is the morning of the search warrant. Is that when you would have assembled the search warrant, put it together to go down to the judge, cause it was signed that day later by the judge?

A Yeah. Sometime that day.

Q Ok. So you created the PC portion on the 13<sup>th</sup> and on the 14<sup>th</sup> you put together, well what else would have to go with the PC portion?

A Right. The rest of the warrant. The warrant application, and then a search warrant page.

Q Right. Right. Right. Ok. Would you have at some point, because you said this was paper, had to have printed all that out?

A Yes.

Q Ok. So it could have been stored electronically on a thumb drive or a hard drive or a computer or something, but at some point and time you had to print it all out, put it together in order to go down to the judge, right?

A Correct.

Q Ok. Item #6 here, and ah, this is page 1-1, 1-3 and 2-1. So that would be the application first page and last page and the warrant there is no PC portion in there. I'd ask ya if that looks familiar?

A Yes.

Q So that would have been a document created and attached to the PC portion, right?

A Correct.

Q Ok. All right. At some point, did you make any changes to this thing that day?

A That day?

Q Yeah.

A No.

Q Ok. On the 14<sup>th</sup> you didn't make any changes to the warrant, correct?

A Correct.

Q That's the day that you had it signed, is that correct?

A Correct.

Q Ok. So, you take that warrant and this is the one I'm showing you here...

A Um, hum.

Q Go with this and the PC portion.

A Yup. Upside down there...

Q So this would have been the warrant you took down?

A Yes.

Q And this one and this one and you took that down there to the judge and what judge did you see?

A Judge Quam.

Q Judge Quam. Ok. Can you walk me through ah the process of going to see Quam?

Do you just walk in his chambers, was he in his courtroom, trying cases or what?

A Ah, he was in his chambers.

Q So you walked through the court, went into his chambers. Did you go to him directly or see his clerk or what?

A Ah, his clerk had me wait outside he was dealing with some stuff.

Q That's the routine way is the clerk has you wait ready for the judge?

A Yes. Yes.

Q So, ah, you're waiting outside and at some point and time what happens next, the judge come and get you? The clerk say go in or what?

A Yes, the clerk says go in and...

Q Ok.

A And...

Q So then you go in with your document or did you give your document to the clerk first?

A I don't know. I – I would have had my document in my hand, I believe.

Q Ok. So you would've had the document in your hand, walking it in. Hi Judge, I have a warrant. Sit down...what happens next?

A Ah, the judge reads through it and um...swears me in, reads through it, and then signs it.

Q Ok.

A If...

Q You raise your hand, you swear it's true all that?

A Yes.

Q And then there's three signatures involved, correct?

A Yes.

Q You sign once, the judge signs twice?

A Correct.

Q Where do you sign and where does he sign?

A I sign on the application page and he signs on the application and the warrant page.

Q Ok. Ok. Now the forensics shows that after ah sometime after signing the search warrant you went back to DTF, key-card access shows about 12:46, sound about right?

A Yeah.

Q Back in the early afternoon. Now the forensics on this shows about 17 minutes later you made a change to the PC portion on the search warrant. Any recollection of that?

A No.

Q Ok. Page 1-2c has some language in there, in fact, I highlighted it. And the highlighted portion I'll have to read to you. Ah, it says: From the Hennepin County Violent Offender Task Force and that's making reference to who a [REDACTED] who is who provided some CI information so it basically describes who he is. From the forensics it appears from the date and time stamps that this piece of information right here was added after 12:46, does that make any sense?

A Um. No, I don't...

Q Is that possible?

A I don't know.

Q I guess the question I gotta put...

A Yeah.

Q Just for specifics to the best of your recollection...

A Yeah.

Q You got the warrant signed from the judge.

A Ok.

Q And you came back to the DTF task force at 12:46. And sometime a little while after that it appears that this was typed in there. Is that something you recall doing?

A I don't recall doing that.

Q Ok. Ok.

A So I don't know if that was signed before or...when this was signed. So I don't, I don't recall doing that the time.

Q Ok. The forensics again shows about 17 minutes after you arrived back at the task force so that puts us just a little bit after 1 o'clock and that, that language was added. If you don't recall it, I guess that's the best we can say. It also shows that ah, 15 minutes after that you e-mailed a copy of the search warrant to the Minneapolis PD. I'm just assuming it's the entry assist people [REDACTED] (sp?)?

A Yes.

Q 'Cause there's an e-mail that says, "here's the run sheet stuff and all the other stuff and also a copy of the search warrant." So you sent a copy of the search, is that something you would do?

A Yeah, yeah, with the ah, depending on what team or who is assisting in making the, the ah execution of that search warrant.

Q You also sent run sheet and intelligence information around that time to two other groups of people, but you didn't send the search warrant to them. Why would that be?

A Um, the, the ah, the other stuff we send is mainly for our, our groups that are helping us execute the warrant. Um, it, depending on the team or SWAT team or whatnot or who is gonna assist us and in ah um, the execution of the search warrant sometimes they'll ask for the search warrant.

Q Would it be safe to say that ah people that are gonna do the entry and assist as far as hitting the door and things would want to see the search warrant first?

A Yes.

Q So that would be why you would send a copy to [REDACTED] at the Minneapolis PD?

A Yes.

Q 'Cause they're gonna do the, the entry?

A Yes. Yes.

Q Ok. All right. Um, so, now we're moving ahead to Friday, the 15<sup>th</sup>...and the search warrant gets executed from all the documents we see in the forensics it looks like it was around 12:30 is when everything was Code 4 and the door was hit and, and you started to fill out property inventory stuff. Ah, is that correct? So you did the warrant and then you filled out the inventories?

A Yes.

Q Ok. Then it shows that you were back at the DTF offices on the 14<sup>th</sup> at 1442 hours and that's from the card access, that sound about right? Hour or two after the warrant?

A Yes.

Q Think you would have gone back to the office? Ok. Ah, and then at 9:30 that night, so another words, about ah, what ah, 4-5-6 hours later, you scanned the entire warrant, the application, the PC, the warrant, and the inventory you scanned it in and put it into your lap top. Do you remember doing that?

A Yes.

Q Ok. So you would have put it into your laptop. Ok. So, when you came back from the execution of the search warrant, is it true that you would have had the actual original warrant with you?

A Yes.

Q In other words, that's the inked signed copy that the judge signed.

A Yes.

Q With you, right there.

A Yes.

Q After you scanned it into your computer, you still had that hard copy piece of paper, that document, right?

A Yes.

Q What did you do with it at that point?

A Ah, placed it in my folder um...while we were prepping evidence, etc.

Q Did you ah, attach this to it?

A Yes...

Q Blue sheet.

A I would have filled out the...

Q With the date of September 15<sup>th</sup> on there?

A Yes, I would have.

Q Ok. So after you attached the blue sheet. Then you've got the original with the blue sheet which means it's ready to go downtown and get scanned in to the, ah, LETG at the Sheriff's Office, plus go into court. What did you do with this package of documents?

A I had it in my file because we were still um, putting everything together and I was prepping to go to Camp Ripley.

Q Ok. So did you take it with you to Camp Ripley?

A Yeah.



Q So you had the original search warrant with you going to Camp Ripley?

A Yeah, I didn't want to lose anything.

Q Ok. So you had the original search warrant going with you to Camp Ripley then you didn't file it on the 15<sup>th</sup> then, right?

A Correct.

Q Ok...

A I just had it filled out.

Q So this is not the date of the... earlier you said that's the date you filed it, but is that the date that you actually put it in on the piece of paper?

A That's the date I put that piece of paper with it.

Q Ok. Now we're moving up into Saturday. It - It's basically real late Friday night. It's 1:30 in the morning and it's Saturday now.

A Um, hum.

Q Ah, you, according to the forensics, uploaded this search warrant into LETG's files. Is that right?

A Yup.

Q Ok. Looking for page #6...

A Page #6...right here...

Q Ok. So, I want to show you this again, a combination of 5 and 6. Is this the warrant that you loaded into LETG at 1:30 in the morning? Because that's the one that you said was signed and filed or due to be filed.

A Yes.

Q Ok. So that's the one that would have gone into LETG?

A Yes.

Q So that's what LETG shows is in there.

A Yes.

Q So you agree with that?

A Yes. It shows it as the SW page 5, I believe.

Q Ok. Now we're moving forward to Monday the 18<sup>th</sup>, which is the day that you were not at work. Ah, I'm assuming you were up at Ripley?

A Correct.

Q Ok. On that particular date, for some reason, and you have to explain why, within the computer forensics it showed that you e-mailed this warrant to yourself. In other words, it went from TravisSerafin@edenprairie.org to TravisSerafin@edenprairie.org. Why would you e-mail it to yourself? Do you have any recollection of that?

A I don't know why.

Q Ok. When you e-mailed it to yourself, then the forensics indicated that you deleted it.  
Ok?

A Ok.

Q And ah, the fact that you deleted it, the only reason it still shows up is because it was in a sent file and not the existing file. What is of interest is that you deleted one file and there were 1300 others sitting in there.

A In what?

Q In your e-mail box.

A Oh.

Q That sound right? You leave a lot of 'em in there?

A Ah...yeah, I usually try to go through it periodically but...

Q Well. The anomaly here, what was of interest was that there were 1300 files and you only deleted one and that would have been the search warrant.

A I...

Q Any explanation for why you would'a done that?

A I don't know why I would'a done that. Confused.

Q Ok.

A I was confused.

Q Ok. The other thing is...

A That's why I e-mailed it to myself.

Q The other thing is ah, again, it only showed up in the sent file, which the forensics discovered that you deleted it from the deleted file...which has not been shown to have been done before. That make any sense?

A No, it doesn't.

Q Ok.

A I don't know why I would have done that.

Q So just, again, to make it real clear...you sent it to yourself then you later deleted it. One of 1300 and then deleted the deleted file. Is there any particular reason you can think of why you would have done that?

A No. I don't know.

Q Ok. Ok. Now we're moving forward here, on September 20<sup>th</sup> ah, Heidi Stahnke who is a paralegal in the county attorney's office, works for Mike Radmer who prosecuted the homicide case of Holmes e-mailed you a request for documents.

A Um, hum.

Q I'm going to show you this e-mail right here, September 20<sup>th</sup>.

A Ok.

Q And she sent you she was requesting for a whole bunch of documents. I'm sure that she's working for Radmer and she's putting together the case file. And one of the questions she asked for is she says she wants the search warrant for the vehicles. She's asking for a search warrant for the vehicles. And on the 22<sup>nd</sup> you responded in there um...and what did you respond by saying?

A See attached files. I will also be bringing the search warrant photos to you.

Q So you said, see attached files?

A Yeah.

Q And one of the files that you attached to the e-mail was this warrant application. Ok?

A Yup.

Q So that was this warrant application #8 and this warrant application now has a premises and vehicle description on it.

A Correct.

Q Correct? So there, there's different language in there now than from the previous one, is that correct?

A Correct.

Q So they look different. All right. The forensic review found that this item #8 with the vehicle's on it, that's the first time this document exists anyplace that can be found.

A Ok.

Q Ok? And it's the first time it exists anywhere. But, the original, which you filed down at the Sheriff's office and you said the 15<sup>th</sup>, but you had it with it, didn't contain that. So, what we're looking at here is, if this document didn't exist until the 22<sup>nd</sup>, you had it signed on the 14<sup>th</sup> by the judge. So is it fair to say that the judge didn't see this portion of the search warrant when he signed it?

A Yes, it is.

Q Ok. Ok. We still have to go back and explain why the 15<sup>th</sup> is on here because this warrant got sent down through LETG did not have the cars in curtilage documentation on it, but the one attached to this piece of paper did have it on there. How do we explain that?

A Um, basically, ultimately when I had all those documents at Camp Ripley with me going through everything, messin' through it trying to figure out all the other reports that were being done I lost Page 1.

Q Which Page 1 did you lose?

A This. I lost this Page 1.

Q That's the one without the cars...

A The one without the curtilage.

Q You lost that.

A Correct. Um, ultimately, printed off um...this one later as...

Q You say this one, which one?

A The one with the curtilage because that is the way I usually do it and thought that one was correct because I couldn't find the...this top one.

Q Going back to the blue half sheet.

A Yes.

Q Is it fair to say that you back-dated this then?

A No, I did not.

Q If this is the date that you say today's date that you filed it, you didn't file it on the 15<sup>th</sup> though, correct?

A Correct. I - I wrote down the date that I had it in my paperwork. The 15<sup>th</sup>.

Q So, if not the 15<sup>th</sup> that it got put in the bin or sent downtown, when did it get put in the bin or sent downtown?

A Ah somewhere well, it basically it looks like it was filed on the 27<sup>th</sup> so I would imagine somewhere later after I got back from Camp Ripley.

Q Would it be safe to say that it would have to be after the 22<sup>nd</sup> because that's when this document didn't even exist until then?

A Yes.

Q So the, the document with the curtilage didn't exist until the 22<sup>nd</sup>?

A Correct.

Q All right.

A So it would have been after that.

Q Ok. So from what the forensics shows and on 9/22 at approximately 6 o'clock in the morning you opened up the search warrant template.

A Um, hum.

Q Ok.

A Yes.

Q That's the template for this. Ok.

A Yup.

Q And again, the forensics showed that you printed out one page of the three page search warrant. So if we go back to what a three page search warrant looks like...

A Yes.

Q That's the three pages, the application, the last page of the application and the search warrant. You only printed out one of those pages. Ok? Ah...and the other two pages

would have had signatures on them. So the one you printed out would have been the first page, is that right?

A Yes. That's the one page I was missing.

Q Ok. The one page that you were missing. Then the forensics said that when you opened up that page from the template, now it would have been a blank page...

A Um, hum...

Q With nothing on it, in other words it would have just been the generic page that I showed you from the beginning.

A Yup.

Q That looks like #2, it's just a blank generic page. You printed out this page with nothing on it.

A Ok.

Q And then it appears that you somehow modified the page and re-printed it, is that correct? This was on the 22<sup>nd</sup>?

A No, I would have, I would have added the curtilage part and this part and printed that just that top page.

Q So it's correct that you opened up the search warrant template, the generic one, printed out the very first page of the application and then somehow got it back in the computer and added the curtilage language to it, is that correct? You want to take a break for a minute?

A Yes.

Q All right. Hang on. We're going to take a pause at 1:32. And we're back on the record at 1:35. I'm going to re-ask this question if I could. So, from the forensic review on September 22<sup>nd</sup>, which I understand is when you would have been up at Ripley for training. At approximately 6 o'clock in the morning you opened up this search warrant template which we talked about before which is all these drop-down menus and you at some point printed out one page of a three-page search warrant application and ah search warrant. And it wouldn't have been the second or third page because those pages are already signed. So, logic would tell us that would have been page 1-1 which is the front page of the search warrant application. So, you at some point printed that out and modified it somehow and then reprinted it and entered it back into the computer. Is that true? Is that accurate?

A Yeah. So what um...

Q What I'd like you, what I'd like you to do is go back to you're at Ripley, it's 6 o'clock in the morning, do you have your County laptop with you?

A I was back from Ripley on the 22<sup>nd</sup>.

Q Ok. At 6 o'clock in the morning where were ya?

A Ah, probably at my house or here. I mean, I would've been somewhere.

Q And were you with your...

A Yeah, I would have had my county laptop.

Q Ok, it's 6 o'clock in the morning, you access your county laptop. Tell me how this all came about.

A So prior to that I had been missing my top page of the signed warrant. Page 1 without the curtilage. Um, and ultimately couldn't find it. Printed, created the new one, printed the new one, just the first page with no intention of doing anything wrong. Just doing it the way I normally do it, like I had thought the original one had and printed it out.

Q So let's back up. The original warrant did not have curtilage and cars information, correct?

A Correct.

Q And on the 22<sup>nd</sup> at 6 o'clock in the morning when you printed out page 1-1, did you add some language to page 1-1?

A Yeah.

Q And that would have been the curtilage.

A The curtilage.

Q Ok. And after you, you printed that out and added that information, what did you do with this newly created page?

A Held onto it and got it down um, ultimately to be filed downtown.

Q Did you replace it with the page 1-1 that didn't have curtilage?

A I – yes, I didn't have the original top page. I couldn't find it. So I printed this one, normally like I um though it was and then put it all together and got it down to be filed.

Q Let's go back to the day you executed the warrant. You went to the judge. You got a warrant signed ah, the day prior and then you went to execute the warrant and then you returned to your office with the property inventory pages and all those documents at that point and time. And then you stapled the half blue page onto it, right?

A Ah, we usually paperclip it.

Q Ok. You would have paper clipped it. Ok. So now you've got the half page with the whole warrant with the page that doesn't contain the curtilage with out and it goes up to Ripley with you and then it comes back with you. And at some point and time did you discover that page 1-1 was missing?

A Yeah. Sometime up at Ripley I was...

Q But had it been there in the first place?

A Ah, originally it was and while...

Q The judge wouldn't sign a warrant without a page 1, would he?

A Correct.

Q Ok.

A But I sometime in that timeframe while going through the case file and having my file out in the barracks at Ripley I misplaced the original top page.

Q So there was only one original top page to begin with, correct?

A Yeah.

Q And you misplaced it.

A Yes.

Q Got lost.

A Yes.

Q And if I understand correctly that you felt that in order to file this warrant you had to have a page 1-1 so you created a new one, is that correct?

A The one that I normally would create and thought was the correct one. With no intentions of um, filing the wrong one.

Q Ok. The DTF copier also has a log and it documents what's going in and out of there. And the DTF copier showed this page with the curtilage being printed out there. Does that make sense?

A Yeah. Yeah.

Q You would have done it...

A I would have done it there. Yeah. Yeah.

Q Ok. So when you created this page that has the curtilage on your laptop, county laptop, where would you have been. Do you recall where you were?

A I don't recall exactly where I was.

Q Ok. But in order for this document to be printed out, to be attached to the original warrant to go downtown, you had to print it someplace.

A Yes.

Q Where would you have printed it?

A Um... either at the DTF office or whatnot. I mean, shows down here it was connected to one of my docking stations so...

Q I mean, would you have been at home, would you have been at some other law enforcement facility? Is there any other place other than the DTF you could have been?

A Ah DTF and/or VOTF downtown.

Q Ok. But this was like 6 o'clock in the morning.

A I would have been here at the DTF office.

Q At the DTF. Ok. Now we're going to move forward to October 9<sup>th</sup>. October 5<sup>th</sup>, I'm sorry. On October 5<sup>th</sup> ah, Ms. Stahnke from the Hennepin County Attorney's Office

sends a second requires for documents. This time she says on October 5<sup>th</sup> she said ah, "Please send the highlighted items below." One of the highlighted items was the search warrant for the vehicles. And you're response was, "Heidi, the vehicle's were searched at the residence and the photos were attached. I sent you the filed search warrant and states we can search all vehicle's connected with the residence." Does that make sense?

A Yes.

Q Ok. You've seen that? That's something that you did?

A Yes.

Q Ok. Then on November 29<sup>th</sup>, Stanke sends a third request. This time she sends it to ha, Carter Staaf but CC's you and you have a response to it. She's still looking for all the documents. Ah, and then you're response was the search warrant for Holmes residence included the vehicles under the curtilage. Is that something that you recognize?

A Yes.

Q And you wrote that one?

A Yes.

Q Ok. Then...so, Stahnke's basically asking for documents relating to the search warrant of the cars three times. Any idea why she's asking for them three times?

A No.

Q Now moving up to January 29<sup>th</sup>, Hennepin County Attorney Mike Radmer, the prosecutor in the Holmes case, sends you an e-mail and it says, Travis there are two search warrants for the Holmes residence. Can you put in a supplemental explaining that?

A Ok.

Q That what you did?

A Yup.

Q Correct.

A Yup.

Q Ok. All right. And that's on January 29<sup>th</sup>. Two weeks later on the 13<sup>th</sup>, you created a supplement.

A Ok.

Q At least according to this document because he asks you again.

A Yeah.

Q I gotta ask you why it took you two weeks when you're getting close to trial?

A Probably because I was trying to figure out where ah my mistake was because I showed one filed search warrant I couldn't figure out where the second search warrant was coming from.



Q Ok. So you do a supplement and it basically says I had both versions signed by the judge at the same time. Does that look right?

A Yeah.

Q That the supplemental, the original supplemental report? Ok...

A Yes. My recollection at the time that's that's what I'd thought had happened.

Q That was on January 20....or ah February 13<sup>th</sup> when you sent that back.

A Yup.

Q So when you said you had the judge sign both search warrants, what'd you mean by that?

A I, I couldn't find a second search warrant in my case file. I found one filed search warrant which I thought was the correct search warrant. The only search warrant, so um...my recollection at the time was if I had two search warrants um in that case file I had two signed. And I - I couldn't figure out where the second search warrant was because I kept seeing the filed search warrant as the correct search warrant.

Q The question to you, why would a judge sign two search warrants for the same place?

A Ah, we basically had to make changes and things like that they would...but it ah, basically what ended up happening was um...

Q Here's, here's where I'm going...

A Ok.

Q What I want to ask you is...31...whatever that address is on 4<sup>th</sup> Avenue in Minneapolis. That was the target for Holmes place where you were going to search. And you draft a search warrant for that residence. And you present it to a judge. Your original response was I drafted two warrants to give it to the judge. Why would you give two search warrants for the exact location for a judge to sign and additionally, why would you think a judge would sign both of those? Wouldn't he recognize the probably cause statement is the same in both?

A Yes. The judge would have recognized that.

Q So, so, the explanation is why would you give him two for the same place? We're gonna pause here at ah 13:45. All right. We're back on the record and it's 1:48 PM. And just to back up a little bit. Ah, we said that on February 13<sup>th</sup> ah, you responded to prosecutor Radmer's question about why there was two search warrants in a supplemental report and your supplemental basically said that you had the judge sign two versions of the same search warrant, mainly I would like you to explain that part of it.

A Um, so basically with the, myself only being focused in on the one filed search warrant I had that accompanied the curtilage, um...and still trying to figure out where the second search would, would have come from. Um, I got confused and it was kind of the start of my confusion and thought at that time I must'a had two search warrants signed, but I continued to only focus on the filed search warrant as being the correct search warrant.

Q In the follow-up report or supplemental report that you submitted, and it wasn't technically to Radmer, it wasn't a memo, it was a supplemental report filed within the Hennepin County Sheriff's Office file system on the case, you said you had two search warrants signed and you said, "see the attached warrant." And the attached warrant was the one containing the cars and curtilage, is that correct?

A Correct. The file...the one that I thought was the correct filed search warrant at the time.

Q Ok. Ok. Now on February 15<sup>th</sup>, it's my understanding that you and Detective Staaf met with Radmer, kind of a pre-testifying for the evidentiary hearing on the Holmes case, is that correct?

A Yes.

Q Do you recall what you guys talked about during that meeting?

A Just ah case stuff and I think he had a few questions in regards to who was, whose vehicles were whose and um...the two search warrants and I still was like, I show one filed search warrant thinking that was the correct one.

Q So, one of the topics of conversation at that, that pre-testifying meeting was this issue of the two search warrants, right?

A Yeah.

Q Ok. And did you still maintain to Radmer that you had two search warrants signed at that point?

A Yeah, I thought at that point I must have had two signed and focused on the filed search warrant as being the correct one.

Q Ok. Now February 23<sup>rd</sup>, about a week later, and this is the you testifying at an evidentiary hearing in front of Judge Karasov and ah were you asked about the search warrant?

A Yes. I was.

Q In your testimony. Now according to the transcript which we got, you originally testified that you had Judge Quam sign two search warrants. That's at the beginning of your testimony here.

A Correct.

Q Ah, one of the documents from one of the first pages you are asked some questions and it's quoted from you here, it says, "I had them both signed at the same time." You take a look at that and say was that accurate for your testimony?

A Yeah. I was confused at that time, but yeah, that was my testimony at the time. My best...to the best of my recollection at the time.

Q Ok. And also attached to this testimony were court exhibits B and C. Ok. And just to clarify for the tape. Exhibit B was page 1-1 of the search warrant that contained the car and curtilage information and Exhibit C was page 1-1 of the search warrant that didn't contain car and curtilage information. So basically the court had in their possession two different search warrants, is that reasonable?

A Correct.

Q Ok. So they had those. Did you get cross-examined by a defense attorney Goetz on this?

A Yes.

Q Did he and Judge Karasov ask you a whole bunch of questions about why two search warrants?

A Yes.

Q Ok. And at some point and time towards the end did you, in essence, amend your testimony?

A I'd have to see what ah, what I said.

Q I'm looking at the second to the last page of your testimony down at the bottom ah, I won't give the whole thing but one of the things you said was, "I'm trying to recall if it was the two signed or the one signed." Does that make sense?

A Yes, that does.

Q So towards the end were you...

A I was thoroughly confused and trying to figure out where I had made a mistake.

Q Were you maintaining you still had two search warrants or now you were thinking there was only one?

A Now I'm thinking there was only one.

Q Ok. Ok. Fair enough. After you got done testifying, ah...let me back up a minute. When you went down to testify were there any other investigators present that were gonna testify?

A Ah, Detective Staaf was there.

Q And was he sequestered?

A Ah, ah, we're we were waiting outside, like...

Q Ok. Was he someplace where he couldn't hear your testimony?

A Yes.

Q Ok. So he - he's waiting outside and he's ready to testify next?

A Correct.

Q Ok. When you got off the stand, done being testified, did he end up testifying?

A I don't believe so.

Q Ok. So after you got done testifying and he didn't testify, did you draw any conclusions as to why he wasn't asked to testify?

A No.

Q Ok. Ah, what happened next after that when you get off the stand and walk out into the hallway?

A Ah, ultimately go meet with Radmer again because I'm thoroughly confused and trying to figure out where I had made a mistake. Um, and what I did wrong to confuse myself and testimony.

Q So you went and had a conversation with Radmer. Who else was present during that conversation?

A Ah, Carter was up there.

Q So the three of you were talking about your testimony?

A Yes.

Q And, and again what did you, what did you say about your testimony?

A Ah, at that time I was confused and something, something wasn't right. I believe, and, and I couldn't figure out where I had gone wrong.

Q Ok. Ah, do you recall Radmer or Staaf making any comments?

A Um...well ah, I know Radmer basically said, "it'll be fine, don't worry about it." And then ah, um, it still bugged me and I kept trying to figure out my problem.

Q Did Radmer give you indications that this did any damage to the case?

A Ah, not really at that time.

Q Did he at sometime later say that then?

A Ah, not that it did any damage to the case. He didn't say anything like that.

Q Did it change the outcome of the case? In your estimation?

A In my estimation, my mistake changed the outcome of the case.

Q Ok. Ok. Ah, a little while after testifying, you sent an e-mail to ah Radmer, I guess it was about 10:42 AM and ah, you at the very last part was about Brady stuff to think about...eating me up.

A Yeah.

Q What'd you mean...what did you mean by that comment?

A Ah because I was so confused on the stand that I - that I ah made a mistake and I didn't want someone to think that I intentionally made a mistake so that was buggin' me and I kept trying to figure out where my mistake was. Um...and where I went wrong.

Q What does Brady stuff mean?

A Ah, Brady-Giglio not telling the truth intuitionally on the stand.

Q So what's your, what's your understanding of Brady was that a Brady decision, Giglio decision?

A Yeah, yeah...

Q What do they mean to you?

A Ah, means you can't testify again.

Q Ok.

A Yeah and I was worried that I made a mistake and was confused and even towards the end when I was trying to recall the exactly what happened in my testimony, I ah, I was worried that I – that I made a clerical mistake and it's gonna bite me.

Q Ok. Now...the next morning, 1 o'clock in the morning...

A Um, hum.

Q After the testimony you sent a, a longer e-mail to Radmer ah, and I'll just paraphrase some of it...

A Yup.

Q But he says, "I dug deeper into my actions on the 14<sup>th</sup>. I had testified that there were two search warrants ah, I may have only signed one." And then you said, "I recalled the VOTF office because I believe I corrected the problem there." Ah, and then you were worried that it appeared that you altered the document and you don't want Judge Karisov (sp?) to question your credibility.

A Yeah.

Q That, that... accurate there?

A Yeah, yeah...that was accurate because I was trying to go through my calendar and dates, I was literally up all night that whole weekend ah, and my wife's like, "what's going on?" I go, I – I made a mistake somewhere I can't figure out where. And I kept trying to figure out where.

Q Now you made some reference to going down to the VOTF office on the day that the search warrant was signed. Is that true or do you recall that?

A Um, I could have been down there for something and that's maybe why I recalled it, but I – I don't know exactly if, if that was, if I was down there or not. I was still at that time, it's late and I'm still trying to put the puzzle together, basically.

Q Well, let me ask you this. Is it relevant if you were at the VOTF office that day or not because of when you fixed it was a different time, correct?

A Right, correct. It's not relevant.

Q So VOTF is pretty much off the table. It doesn't really have a bearing on it.

A Yeah. Yeah.

Q Ok. Ok. According to the forensic review again at the search warrant with the vehicle information as shown to you on #8 has the added language in there didn't exist anywhere in forensic until September 22<sup>nd</sup>. That agreed?

A That's agreed.

Q That's agreed?

A Yeah.

Q But the judge signed the warrant on September 14<sup>th</sup>, is that correct?

A Correct.

Q Ok. So the warrant that he signed did not contain, contain this curtilage information?

A Correct. Like I told ah, Radmer.

Q So once again, just briefly I'd you to explain how that happened.

A Ok.

Q That, and the key we need to stay on is that you brought a warrant to the judge on the 14<sup>th</sup> that didn't have curtilage information and it did have curtilage information show up in files on the 22<sup>nd</sup>.

A Ok. Um...so ultimately, on the 14<sup>th</sup> I drafted a warrant and had it signed by the judge without the curtilage information on the cover page. And um, executed that warrant. Printed it, executed that warrant and then ah filled out the paperwork and had it with me in my um paper file so to speak. And then I um, ultimately went to Camp Ripley, was continuing to work on stuff for the case um...and other cases just 'cause I was in the middle of I think three or four 3<sup>rd</sup> degree murder cases at the time. Um...and basically working continuously at Camp Ripley while I was training. Um, ultimately lost Page 1 and um on the 22<sup>nd</sup> I, because I couldn't find Page 1 and it was bugging me I created and printed a Page 1 with the curtilage like I normally would and usually would have on there and um got that filed downtown. Um, unintentionally ah and not realizing that actually the originally signed warrant had been scanned and sent through the case file through the County, not to be filed downtown.

Q Ok. We're going to move to a slightly different topic for right now. Ah, the investigation into this thing started in April of 2018. On April 11<sup>th</sup>, at 11:16 AM you turned over your county laptop for a forensic review. Does that sound about right?

A Yup.

Q Ok. About two hours later, after turning in the laptop, you opened up the case file stored on a thumb drive. Is that right?

A Yup, correct.

Q And that thumb drive has the word SOTA on it.

A Yeah.

Q So SOTA.

A Yeah.

Q That's a SWAT Officer Training Association?

A Yup, yup.

Q So that's a thumb drive with a logo on it but that had the case file on it?

A Yeah.

Q And you opened it up ah two hours after you turned in your laptop.

A Yeah.

Q Why, why did you do that?

A Lookin' at where I had made my mistake and made notes 'cause I have a bunch of my murder cases saved on that thumb drive.

Q Ok. And then on the 16<sup>th</sup> you were asked for any other storage media that you had.

A Yeah.

Q Is that right?

A Yup.

Q At 2:15 you turned over two drives.

A Yup.

Q And then two hours later you turned over the SOTA drive.

A Yeah, I was at training and then went back home, got the SOTA drive, brought the SOTA drive back.

Q So the SOTA drive wasn't in your possession.

A No, it was, it was at, it was my ah, um, what-do-you-call it, my ah, my other, my work bag at home. So I brought that one back.

Q And after learning that this investigation was taking place and being asked for initially your laptop and then drives, did you manipulate or move or delete any documents or information related to this investigation?

A No.

Q And you're aware that the changes that you made to that document where you added curtilage information, are you aware that that does not auto-populate?

A Yeah. Correct, yeah, we have to add that in.

Q Ok. Now, just to go back again how search warrants work. We talked about this earlier. But in search warrants, when you have the dropdown menu, pick the one that you want, that one will automatically strike the inappropriate references, correct?

A Correct. Yeah.

Q And when you initially do a search warrant and it's open and it's an actual file that you typing into, if you type in language like things to be searched for it will, maybe the word auto-populate is not correct, but it will automatically attach that to the warrant, correct?

A Ah, yeah...if you do it that way or if you just go through it and add it in whatever.

Q What I'm getting back to here is on...

A Oh, on the last page.

Q No, on page 1.

A Yeah.

Q It says, it says "are or will be at the premises, motor vehicle, person" and you type in some narrative stuff. The search warrant program will automatically type that into the actual warrant itself, you're aware of that right, we talked about...

A Yes. Yes.

Q So when you type it here...that's part of the reason for having a program, so you don't have to do it by hand twice and also because some judges look at it to make sure it's identical.

A Correct.

Q So if you type it once it's gonna be identical, correct?

A Correct.

Q When you brought up the search warrant to add that language in there, it did not put it on the search warrant page, is that correct?

A Yeah, I don't. I don't know at that, on that particular one, 'cause I just used only the top page.

Q Ok.

A And that's the only page I kept was that top page.

Q So can we establish the fact that you had this search warrant in your county laptop and on the SOTA drive and various other places and rather than bring up the search warrant itself to add or change things, you just brought up the generic search warrant page, recreated it and then added it. Is that right?

A Yeah. Yeah. I just did that first page.

Q Ok. So here's my question. The difference between the two pages is the only thing that's different down to every space and single comma is this...did you retype every single one of those in there with every single space and comma perfectly?

A This is actually a copy and paste.

Q Ok. So you...so explain to me how you copied and pasted.

A Yeah...So I have a, I have a, a file of um, like um, that's got this on it and it has um, different language paragraphs on it and things like that so I copied it and paste it in there um...same with the curtilage, you can...I have that saved as a copy and paste. Um, on there...and sent it through.

Q So let's go back to one last time.

A Yeah.

Q It's 6:20 in the morning on the, what was the 22<sup>nd</sup>.

A Yup.

Q And you're gonna create this page and the forensics shows that you brought up the search warrant template, the generic one.

A Yup.



Q And you printed out the generic page and then somehow this generic page ended up containing this information and got scanned back into the computer. How did you do that?

A I would have done it with a computer.

Q Could be done on a computer but we're talking before you didn't it, but now you did... maybe you're memory is better now.

A Yeah.

Q So you're recollecting that you did some cutting and pasting.

A Yea...

Q What I'd like to get back is how did you create that document on that page?

A I would have opened it, added this, copy and the paste the, the top part of the warrant in. I would have copied and pasted the curtilage part.

Q You wouldn't copy and paste because this is newly created, correct?

A Correct. I'm sorry. Um, yeah, I would have... the part that says to include but not limited to, I also have that saved in an area. Um, that would have been added in and ultimately printed off and attached and scanned downtown with no intentions of it being different from the first one. I just did what I thought was um correct at the time and what I normally do because I was missing that first page.

Q So once again were you aware that when you did the cut and paste and add the information to this thing and put it back into the scanned document that the actual search warrant itself did not have this in there?

A Not at that time I didn't.

Q Ok. And were you aware that the original search warrant did not ask to look for vehicles because it was striked out? And when you put that information in there it was still all striked out?

A No. I, not at the time, I didn't.

Q Ok.

A 'Cause I thought this was...

Q Search warrant applications and the actual search warrant themselves have the language premises, motor vehicle and person in six different places within the warrant. That's why the program auto populates. If you strike vehicles it does it six places. When you created this were you aware you didn't change those?

A No.

Q You weren't aware that you didn't.

A Um, um.

Q Were you aware that you should have?

A No

Q Ok. I want to sum up just a little bit here if we can. For the record, how many search warrants did you present to Judge Quam on the 14<sup>th</sup>?

A One search warrant.

Q One search warrant. And did that search warrant contain curtilage and vehicle language on that day?

A No, it did not.

Q Ok. And did you make changes to the search warrant for 3312 12<sup>th</sup> Avenue?

A On that front page, yeah when I couldn't find it.

Q Ok. And did you make these changes after you met with Judge Quam to sign the warrant?

A Yes, I did.

Q Ok. Now when you sign a search warrant we talked about this earlier that you raise your right hand, right. What does the judge say to you when you raise your right hand?

A I really need to...I couldn't...I couldn't say it verbatim.

Q Something about true and correct to the best of your knowledge...

A True and correct knowledge, yes.

Q So you're basically swearing it's true?

A Yeah. To the best of my knowledge. Yes.

Q Ok. Ah, that bears the question then, when you rose your right hand and the judge swore you in and asked you to tell...were you testifying to the judge at that point being sworn in truthfully?

A Yes.

Q Ok. And did you tell the truth in your police reports?

A Yes. To the best of my recollection at the time and with all the confusion that was going on, I did.

Q And when you were talking with the County Attorney about this case were you being truthful?

A Yes.

Q Ok With respect to the two warrants/one warrant issue.

A Correct.

Q And then when you testified in court at the evidentiary hearing were you testifying truthfully?

A Yes. I was. I believed I was.

Q I'm gonna go back to the policies if I could here...if I can find them...and just touching back on the policies here. Ah, the personal conduct policy that talks about

peace officers ah not knowing disobey laws, rules, criminal procedure with respect to searches and seizures. Do you think you violated that policy?

A No. I don't.

Q Ok. And the other part about peace officers truthfully completing, impartially reporting and testifying and presenting evidence in all matters of an official nature, do you think you violated that policy?

A I don't believe I did.

Q Ok. And then ah, with respect to the search and seizure policy, 8.09, it says the search warrant shall be executed at and the search shall be made of only the places described in the search warrant. Do you think you violated that policy?

A No.

Q Ok. But, when you actually executed the search warrant on that day did it have this curtilage language in there?

A No, it did not.

Q Ok. So, in essence, are you, I don't want to put words in your mouth, but did you have the authority to search those vehicles in curtilage on that day?

A No, I didn't. If it wasn't in there I- I didn't have it via the warrant based on the female coming from the vehicle...but...

Q So would that be...I don't want to put words in your mouth, but want to make sure that we understand correctly. When you did the search that day and didn't have the vehicle's in curtilage, but the search took place anyway. So looking at the policy that says a search warrant shall be executed and the search shall be made only of the places or persons described in the warrant...would that be a violation of policy?

A I'd have to look at my full report but I believe the female Cybriana Seals (sp?) was coming from the vehicle during the execution of our search warrant so at that point um, we had that vehicle held and her in that vehicle...so.

Q But if we look at the language that says, "as described in the search warrant."

A Ok.

Q When it says described in the search warrant, was it described in the search warrant?

A No, it wasn't.

Q Ok. But then I have to actually ask you, if in fact you searched something that wasn't described in the search warrant was it intentional or unintentional?

A It was unintentional.

Q Once again, did you make the changes to the search warrant after Judge Quam signed the original search warrant?

A Yes. I did.

Q Ok.

A Because I had lost a page.

Q Right. Right. What did you do wrong here?

A Um...I lost an important document. I didn't file it immediately and that was because I was basically busy and leaving for Camp Ripley because we were hosting it, that mess. Um...and I ultimately um...lost a page that then once I printed and created that new page thinking it was the correct page um...that ultimately probably started my confusion all the way towards the end through testimony etc. Um, but to rectify those problems um, and once I realized I had made a mistake somewhere I just couldn't figure out exactly where I immediately contacted ah the County Attorney, Radmer and showed him where ah the discrepancies in the two warrants and I also immediately after that talked to Sergeant Chris Wood and explained the discrepancies in the warrants and, and both of them said, don't worry about it. You'll be fine. Clerical mistakes happen, even to the point where one even said with how many search warrants you do I can't believe you haven't made a mistake yet.

Q Well let's go back just for a second if we could. Ah when you said you told them what went wrong, at that point you believed that you signed two warrants. Is that what you were saying?

A Once I told them what went wrong is after the fact and I had figured out after testimony I had figured out that there was only one warrant and I filed the wrong top page with ah, the filed one and then the one saved in my case file as SWPage 5 which I thought was just my property receipt um, was actually, was actually the warrant that got sent through the county and never filed and that should have been the one.

Q Do you, is there anything else you think you did wrong here?

A No. I don't...no.

Q Ok.

A Maybe, no.

Q To go back just to the meat of this if we could just for a minute. You met with Judge Quam, he signed a search warrant.

A Correct.

Q Correct. And at a later point and time you discovered there was a piece of paper that wasn't in there that should have been in there, correct?

A Yeah, it was...

Q It wasn't a piece of paper necessarily that you lost, it was a piece of paper that you had to create, is that correct?

A Correct. Yeah. 'Cause I couldn't find it.

Q And, and you did create a piece of paper...well, when you say you couldn't find it, had you already drafted one with curtilage? Or was it the one without the curtilage?

A I had drafted the one without curtilage.

Q So, if you couldn't find it, why didn't you re-create the one without the curtilage?

A Because I had that scanned in and thought that was my property receipt only and in my haste and confusion I was like, I lost a document and I printed off the...

Q Did you believe that you had this one with the curtilage originally?

A Yes. I did.

Q Ok.

A And that's why I did it and...

Q But there's...but once again the forensic exam showed that it didn't exist anywhere until the 22<sup>nd</sup>.

A Right.

Q So you created it on the 22<sup>nd</sup>, how could you have had it someplace else before that?

A Well I thought that was how I normally do my search warrants and I thought that was the correct one.

Q Ok.

A And so I created it and printed it.

Q Ok. So a judge signed the search warrant and then you added a piece of paper to it later on...in a perfect world is that the right thing to do?

A No, it's not.

Q If you had the opportunity to change this, what would you change?

A I would have ah, re-do the warrant, re-do everything and um, and/or if realized that I lost the document right away ah tell the county attorney right away if I knew that.

Q If you had discovered that this warrant didn't contain the curtilage prior to the execution, would you have gone ahead and executed it?

A No, I wouldn't. I would've went and got the curtilage put into it.

Q And redrafted a new warrant?

A Yes, I would have.

Q That'd be the right thing to do.

A Yes.

Q So, ah, we're getting close to the end here. If we look at all this that happened here, the question bears why did you do what you did?

A Um, it was a mistake and I did what I thought was correct at the time and thought I remembered the best of my recollection at the time of my testimony um, and I did what I did because I thought it was correct at the time. And after realizing throughout the whole case, etc, that I had made a mistake I immediately went and disclosed the discrepancies and the mistakes to the county attorney and a sergeant.

Q What do you think should happen to you here?

A Um...I think ah, I think um...I made a mistake. I made a clerical error, a clerical mistake. I'm human and it was nothing intentional that I had done wrong. Um, and I chalk it up as a very good coaching and learning experience. Um...for the future.

Q But once again, I just want to clarify, do you feel that adding a document to a search warrant that's already been signed is a clerical mistake? Do you want to take a break?

A Yeah.

Q All right. We're gonna pause at 2:17. Ok. We're back on the record at 2:18.

A Ok. Um, in regards to the last question, the ah, the error that I made was a ah unintentional mistake um, it was um, that ah, that I had made and um, probably and it, you know, was an unintentional misjudgment by me to, to have printed that document.

Q I do have one last question. Little mistake or big mistake?

A It's a big mistake.

Q Ah, did it effect the outcome of anything?

A Um...I don't know. It effected the, I believe the um, what direction the, the trial went.

Q Ok. Do you have any more information that you feel is pertinent in this investigation?

A Um...

Q It looks like you have a brief statement you would like to read.

A Yeah.

Q And it's about, looks to be about less than half a page so go right ahead.

A Ok. Um in mid-September I was reviewing the documents that I usually do for a murder, or I was reviewing the documents for a murder case. Um, at that time I found that I could not locate the cover page of the search warrant that had already been served. I reviewed my case file but could not locate the page. I ended up printing a new cover page and the language that I usually or normally use for the original page and submitted that one for filing. The warrant had already been sent through the Records system and had been forwarded to the Hennepin County Attorney's Office as part of the case file. When I testified in court to the best of my recollection at the time the issue arose of the possibility of two warrants had been served because the language of the file warrant different from the warrant provided to the county attorney. I became confused in my testimony and incorrectly testified that two warrants must have been served. Immediately following my testimony I realized the error in the warrants and reviewed my records. I continued to review those records and I discovered my error, my mistake regarding the warrants and immediately disclosed those discrepancies to the county attorney who was prosecuting the case. I next disclosed the error to Sergeant Chris Wood of the Eden Prairie Police Department. After I advised both of them they advised me it was fine and to not worry about it and mistakes happen. The error was an unintentional mistake on my part and at no time was I attempting to intentionally deceive the county attorney, defense or court as a whole, just as I stated to the county attorney when I advised him of the mistake.

- Q I have one last ah, per your comment. In the judges complaint, he stated you searched vehicles at the residence when you knew you didn't have prior judicial authorization about that. Is that correct?
- A Um... yeah, we searched those. Um, we had two people in the vehicle um, while executing that search warrant. Um, and one of them was the homeowner.
- Q The point that's drawn here is that you searched vehicles and the statement was that you knew you didn't have prior judicial authority. In other words, the search warrant you had signed didn't contain the vehicle in curtilage language. So, by inference were you aware when you executed the search warrant that you did not have curtilage in vehicles in the warrant?
- A No. I wasn't totally aware. I was acting on good faith basically at the time and, and dealing with all the people that were in and/or around the residence at the execution of the search warrant.
- Q I'm sorry, but just to be completely clear here, you got a search warrant signed by a judge that didn't have curtilage language in it and the following day you went and executed the warrant. Did you look at the warrant and look at the language in it prior to executing it and note that it didn't have curtilage in vehicle information on. So when you actually went to the search warrant and the first door was kicked to the first car was searched, did you know that the warrant didn't have vehicle in curtilage information on it?
- A I don't remember exactly on that time.
- Q Ok. Um, can you think of anybody else that might be able to give us information on this case?
- A No I think you've talked to everybody.
- Q Are all these statements true and correct to the best of your knowledge?
- A Yes, they are.
- Q Would you like to have a transcribed copy of this statement sent to you?
- A Yes.
- Q Ok. Is your current address in the department records, your home address correct?
- A Correct.
- Q And can we send it to that address?
- A Sure.
- Q Ok. Before I conclude the interview, I have to advise you that this is an active internal affairs investigation and everything we've discussed is considered private or confidential in compliance with the Minnesota Government Data Practices Act. Do you understand that?
- A Yes.

Q Please be advised that any unauthorized release of the information verbally, in writing or in any other form is a violation of the Government Data Practices Act and could subject a person to civil or criminal sanctions. And do you understand that one?

A Yes.

Q And the last one is, you're just advised not to discuss the content of this interview or the details of this incident with anybody or allow anybody to have access to your transcribed copy, other than your attorney if you so desire. And you understand that one?

A Yes.

Q And does anybody have anything else that they want to add here?

A No.

Q We are going to conclude this interview at 2:24 PM.

Transcribed by Administrative Assistant, Jenna Spaulding 04/26/2018.



## NOTICE REGARDING COLLECTION OF DATA

Notice regarding the collection of data, the Tennesen Warning, is required under Minn. Stat. § 13.04, Subd. 2 when:

- a. An individual;
- b. Is asked to supply;
- c. Private or confidential data;
- d. Concerning self.

You are hereby advised, pursuant to Minn. Stat. § 13.04, Subd. 2 as follows:

A. Why the data is being collected.

Data is being collected for the purpose of investigating allegations regarding your conduct as an employee of the City of Eden Prairie.

B. How the City intends to use the data:

The City intends to use the data as part of its investigation of the allegations concerning your conduct as an employee for the City of Eden Prairie.

C. Whether you may refuse or are legally required to supply the data.

You may refuse and are not legally required to supply the data.

D. Any consequences to you of either supplying or refusing to supply the data.

The consequences of supplying or refusing to supply the data are as follows:

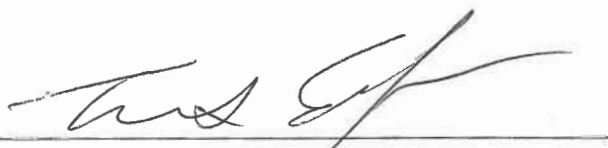
- i. Any information supplied by you will be used in the investigation process and any determination of discipline, including suspension and / or discharge. Your refusal to supply any data requested will be used by the City in determining appropriate discipline including suspension and / or discharge.

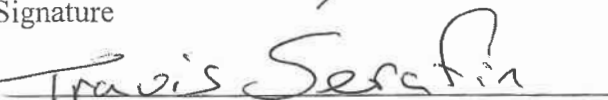
E. Discipline that may be imposed for refusing to answer.

Discipline that may be imposed for refusing to answer any question includes a wide range of discipline from an oral and / or written reprimand and warning to suspension or discharge.

F. The identity of other persons or entities authorized by law to receive the data.


Some of the data provided by you may be provided to: those parties authorized and / or required to receive the data, as specified in the Minnesota Government Data Practices Act and other applicable state and federal statutes.

  
Signature

  
Print Name

WITNESS:

  
Signature

  
Print Name

Dated: 4-23-2018

## NOTICE AND GARRITY WARNING TO EMPLOYEE

Name of Employee: TRAVIS SERRIN

1. You are being interviewed by AL LARSON
2. The purpose of this interview is to collect information regarding allegations of misconduct raised against you.
3. The information collected may be used by the City in administrative proceedings such as grievance procedures, termination proceedings, suspensions or other disciplinary proceedings. The information may also be used in civil litigation.
4. You are required to provide all requested information regarding yourself, other employees, and individuals having business with the City, which relate in any way to your employment with the City, the business of the City or the conduct of City employees, whether or not that information is private or confidential. Failure or refusal to provide this information will be considered insubordination and shall result in disciplinary action against you, including possible termination of your employment.
5. Information provided during the course of this interview and the fruits of such information will not be used against you in any criminal proceedings.
6. Providing false or misleading information during this interview will be considered insubordination and shall result in disciplinary action against you, including possible termination of your employment.
7. The information which you provide during this interview may be released to the City Council, City Administration, agents of the City, the State Auditor's Office, the Minnesota Attorney's General, the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, the Bureau of Criminal Apprehension, law enforcement agencies and other individuals directly or indirectly involved in the matter(s) discussed, including complainant(s) and witnesses, other employees of the City, members of the public and the representatives of such individuals.

By signing below you acknowledge that you have been given an opportunity to read this Notice prior to being interviewed. A copy will be provided to you upon request.

Sign: 

Dated: 4/23/18



## CITY OF EDEN PRAIRIE

### WAIVER OF ATTORNEY REPRESENTATION

CASE#: 18013982

I HEREBY AGREE TO PARTICIPATE IN AN INTERVIEW WITHOUT HAVING AN ATTORNEY PRESENT DURING THE PROCEEDINGS.

Travis Sena  
NAME (PRINT)

Police  
DIVISION

[Signature]  
SIGNATURE

4/23/18  
DATE

[Signature]  
WITNESS

4/23/2018  
DATE

City of ~~Eden Prairie~~ <sup>BW%20Badges</sup>

Police Department

**Directive 3.02: Personal Conduct****I. Policy**

It shall be the policy of the Eden Prairie Police Department to follow the P.O.S.T. Board personal conduct guidelines which are listed below.

**II. Procedure****A. Scope**

1. This directive applies to all officers of this agency engaged in official duties, whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted, this policy also applies to off-duty conduct as well. Conduct not mentioned under a specific rule, but which violates a general principle is prohibited.

2. This policy is organized into eight principles governing conduct unbecoming an officer. Each principle is followed by the rationale explaining the principle and a set of rules.

**B. Code of Conduct Principles****1. Principle One**

**Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.**

**a. Rationale**

Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

**b. Rules**

- (1) Peace officers shall not knowingly exceed their authority in the enforcement of the law.
- (2) Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence.
- (3) Peace officers shall not knowingly restrict the freedom of individuals,

whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.

- (4) Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction in which the officer is present, except where permitted in the performance of duty under proper authority.

## 2. Principle Two

**Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.**

### a. Rationale

Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

### b. Rules

- (1) Peace officers shall carry out their duties with integrity, fairness, and impartiality.
- (2) Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic, or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
- (3) Peace officers shall truthfully, completely, and impartially report, testify, and present evidence, including exculpatory evidence, in all matters of an official nature.
- (4) Peace officers shall take no action knowing it will violate the Constitutional rights of any person.
- (5) Peace officers must obey lawful orders, but must refuse to obey any orders the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order, the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
- (6) Peace officers learning of conduct or observing conduct which is in violation of any law or policy of this Department shall take necessary action and report the incident to the officer's immediate supervisor, who shall forward the information to the chief law enforcement officer. If the misconduct is committed by the officer's immediate supervisor, the officer shall report the incident to the immediate supervisor's supervisor.

## 3. Principle Three

**City of Eden Prairie****Police Department****Directive 8.09:  
Search and Seizure**

1A

**I. Policy**

It shall be the policy of the Eden Prairie Police Department that all searches and seizures of persons and or property will be made in accordance with the procedures prescribed by law and these rules.

**II. Procedure**

An officer shall not conduct a search or seize property without a search warrant unless the situation falls into one of the categories pertaining to search without a search warrant.

**A. Search Warrants**

An officer to whom a valid search warrant has been issued shall execute that search warrant in the manner provided by law and by these procedures.

1. The search warrant shall be executed at, and the search shall be made of, only the place or places described in the search warrant.
2. The search shall be limited to discovering those items named in the search warrant, and examining those places or things which could contain or conceal the items described in the search warrant.

Items not named in the search warrant may be seized if they were found in a place reasonably within the scope of the search and:

- They are contraband; or
  - They are stolen; or
  - They are evidence of or instrumentalities of a crime.
3. Any persons found upon the premises may be searched:
    - To protect officers and other persons from attack; or
    - To prevent disposal or concealment of any items listed in the search warrant; or
    - Incident to arrest.
  4. Whenever a search warrant is executed, the officer in charge shall assure that the search warrant is physically carried to the scene and is exhibited to the person, if any, in charge of the premises.
  5. No persons other than police officers, police department employees, or members of the city or county attorney's offices shall be permitted to accompany officers in the execution of the search warrant.
  6. Unless authorized by a magistrate, officers shall knock, announce their identity, and demand admittance. If there is no response or admittance is refused, officers shall enter the premises by the most efficient means possible. This may include breaking any door or window, but only if such is necessary.
  7. When entering a building or other premises it is preferred that a uniformed officer be present. All



## STATE OF MINNESOTA, COUNTY OF HENNEPIN

## DISTRICT COURT

STATE OF MINNESOTA )  
 )  
 COUNTY OF HENNEPIN )

SS:

APPLICATION FOR SEARCH WARRANT AND  
SUPPORTING AFFIDAVIT

being first duly sworn upon oath, hereby makes application to this Court for a warrant to search the (premises) (~~motor vehicle~~) (person) hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true to the affiant's own knowledge, save as to such as are herein stated on information and belief, and as to those, affiant believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

(are) (~~will be~~)

(at the premises) (~~in the motor vehicle~~) (on the person) described as:

,

,

Located in the City of , County of **HENNEPIN**, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

1. The property above described was stolen or embezzled.
2. The property above described was used as means of committing a crime.
3. The possession of the property above described constitutes a crime.
4. The property above described is in the possession of a person with intent to use such property as a means of committing a crime.
5. The property above described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

A nighttime search outside the hours between 7:00 AM and 8:00 PM is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because:

An unannounced entry is necessary to prevent the loss, destruction or removal of the objects of the search and to protect the safety of the peace officers because:

WHEREFORE, Affiant requests a search warrant be issued, commanding , and all other officers under their direction and control, peace officers, of the State of Minnesota,  
(to enter without announcement of authority and purpose)  
(~~between the hours of 7:00 AM and 8:00 PM only~~) (between the hours of 7:00 AM and 8:00 PM or a nighttime search outside those hours)  
to search the hereinbefore described (premises) (~~motor vehicle~~) (person)  
for the described property and things and to seize said property and things and keep said property and things in custody until the same be dealt with according to law.

\_\_\_\_\_  
Affiant

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Judge of

\_\_\_\_\_  
Court



# SEARCH WARRANT

2-1

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

TO: , and all other officers under their direction and control, PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described (premises) (~~motor vehicle~~) (person):

,  
,

located in the City of , County of **HENNEPIN**, STATE OF MINNESOTA for the following described property and things:

WHEREAS, the application and supporting affidavit of (was) (~~were~~) duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds:

1. The property above described was stolen or embezzled.
2. The property above described was used as a means of committing a crime.
3. The possession of the property above described constitutes a crime.
4. The property above described is in the possession of a person with intent to use such property as a means of committing a crime.
5. The property above described constitutes evidence, which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The Court further finds that probable cause exists to believe that the above-described property and things (are) (~~will be~~) (at the above-described premises) (~~in the above-described motor vehicle~~) (on the person of ).

The Court further finds that a nighttime search outside the hours between 7:00 AM and 8:00 PM is necessary to prevent the loss, destruction, or removal of the objects of said search, or to protect the searchers or the public.

The Court further finds that entry without announcement of authority or purpose is necessary to prevent the loss, destruction, or removal of the objects of said search and to protect the safety of the peace officers.

NOW, THEREFORE, YOU, AND ALL OTHER OFFICERS UNDER THEIR DIRECTION AND CONTROL, THE PEACE OFFICER(S) AFORESAID, ARE HEREBY COMMANDED (TO ENTER WITHOUT ANNOUNCEMENT OF AUTHORITY AND PURPOSE) (~~BETWEEN THE HOURS OF 7:00 AM AND 8:00 PM ONLY~~) (BETWEEN THE HOURS OF 7:00 AM AND 8:00 PM OR A NIGHTTIME SEARCH OUTSIDE THOSE HOURS) TO SEARCH (THE DESCRIBED PREMISES) (~~THE DESCRIBED MOTOR VEHICLE~~) (THE PERSON OF ) FOR THE ABOVE-DESCRIBED PROPERTY AND THINGS, AND TO SEIZE SAID PROPERTY AND THINGS AND (TO RETAIN THEM IN CUSTODY SUBJECT TO COURT ORDER AND ACCORDING TO LAW) (DELIVER CUSTODY OF SAID PROPERTY AND THINGS TO **Police Department Evidence Locker**).

BY THE COURT:

Dated \_\_\_\_\_, 2018.

\_\_\_\_\_  
JUDGE OF

\_\_\_\_\_  
COURT

**Evidence Tree**

- Contacts
- Cookies
- Desktop
  - 2014 Cases
  - 2014-SW Templates
  - 2015 Cases
  - 2016 Cases
  - 2017 Cases
  - 2017 MSP K9 Map w/ phones.pdf
  - 2018 Cases
    - ATF etrcce updated.docx
    - BCA Supp 2017.pdf
    - BCA-Evidence 2017.pdf
  - CI Folder
  - COUNTY MISC FORMS
    - BCA Submission Forms
    - Court Orders
    - Court Orders.zip
    - Forms
  - MONTHLIES
  - RAMSEY
  - SW's
  - Voice Recordings C
  - DTF Forms
  - Garbage-KS List
  - Heroin Grant Award Letter to MN Law Enforcement.pdf
  - Hockey
  - Howkay Plane

**Properties**

Take Ownership

**NTFS Access Control Entry**

ACE Type: **Allow Access**

Inheritable: **True**

SID: **00000000000000000000000000000000**

Name: **ADMINISTRATORS**

Access Mask: **00000000**

Traverse Folder: **True**

List Folder: **True**

Create Files: **True**

Create Folders: **True**

Delete Subfolders and Files: **True**

Delete: **True**

Read Permissions: **True**

Change Permissions: **True**

Take Ownership: **True**

**NTFS Access Control Entry**

**File List**

Name	Size	Type	Date Modified
Narcotics Document SW.dot.FileSlack	2	File Slack	
Pharmacy.docx.FileSlack	3	File Slack	
Seizure Order.dot.FileSlack	3	File Slack	
SW-Bank Records.dot.FileSlack	3	File Slack	
SW-Cell Phone Pager.dot.FileSlack	3	File Slack	
SW-Package-Luggage Daytime or Nighttime ANN...	3	File Slack	
SW-Package-Luggage Daytime or Nighttime Unan...	2	File Slack	
SW-Package-Parcel Daytime ANNOUNCED.dot.Fil...	3	File Slack	
SW-Package-Parcel Daytime or Nighttime ANNOU...	3	File Slack	
SW-Package-Parcel Daytime or Nighttime Unanno...	2	File Slack	
Thermal Imaging SW.dot.FileSlack	2	File Slack	
SD0	16	NTFS Index All...	11/21/2017 9:24:36 PM
Computer SW.dot	42	Regular File	12/5/2013 4:02:04 PM
Det-Person DNA Announced.dot	59	Regular File	12/5/2013 4:02:05 PM
Inventory Return Form.dot	30	Regular File	12/5/2013 4:02:05 PM
Narcotic SW-Motor Vehicle & Person Daytime or ...	62	Regular File	12/5/2013 4:02:05 PM
Narcotic SW-Motor Vehicle Daytime or Nighttime...	48	Regular File	12/5/2013 4:02:05 PM
Narcotic SW-Person Daytime or Nighttime.dot	47	Regular File	12/5/2013 4:02:05 PM
Narcotic SW-Premises & Person Daytime ANNO...	47	Regular File	12/5/2013 4:02:05 PM
Narcotic SW-Premises & Person Daytime or Night...	47	Regular File	12/5/2013 4:02:06 PM
Narcotic SW-Premises & Person Daytime or Night...	47	Regular File	12/5/2013 4:02:06 PM
Narcotic SW-Premises & Person Daytime or Night...	46	Regular File	12/5/2013 4:02:06 PM
Narcotic SW-Premises & Person Daytime or Night...	46	Regular File	12/5/2013 4:02:06 PM
Narcotic SW-Premises & Person Daytime or Night...	46	Regular File	12/5/2013 4:02:06 PM
Narcotic SW-Premises & Person Daytime or Night...	62	Regular File	12/5/2013 4:02:06 PM
Narcotic SW-Premises & Person Daytime or Night...	62	Regular File	12/5/2013 4:02:06 PM
Narcotics Document SW.dot	62	Regular File	12/5/2013 4:02:07 PM
Pharmacy.docx	38	Regular File	12/5/2013 4:02:07 PM
Seizure Order.dot	37	Regular File	12/5/2013 4:02:07 PM
SW-Bank Records.dot	37	Regular File	12/5/2013 4:02:07 PM
SW-Cell Phone Pager.dot	57	Regular File	12/5/2013 4:02:08 PM
SW-Package-Luggage Daytime or Nighttime ANN...	45	Regular File	12/5/2013 4:02:08 PM
SW-Package-Luggage Daytime or Nighttime Unan...	46	Regular File	12/5/2013 4:02:08 PM
SW-Package-Parcel Daytime ANNOUNCED.dot	46	Regular File	12/5/2013 4:02:08 PM
SW-Package-Parcel Daytime or Nighttime ANNOU...	45	Regular File	12/5/2013 4:02:09 PM
SW-Package-Parcel Daytime or Nighttime Unanno...	46	Regular File	12/5/2013 4:02:09 PM
Thermal Imaging SW.dot	46	Regular File	12/5/2013 4:02:09 PM
-Sroctic SW-Motor Vehicle Daytime or Nighttime...	1	Regular File	12/5/2013 4:02:09 PM
-Sroctic SW-Premises Daytime ANNOUNCED.dot	1	Regular File	12/5/2013 4:02:09 PM
-Sroctic SW-Premises Daytime or Nighttime ANN...	1	Regular File	12/5/2013 4:02:09 PM
-Sroctic SW-Premises Daytime or Nighttime Unan...	1	Regular File	12/5/2013 4:02:10 PM
-Sroctic SW-Premises Daytime ANNOUNCED.d...	1	Regular File	12/5/2013 4:02:10 PM

logical:E01/Windows [NTFS]/[root]/Users/JSIV19/Desktop/COUNTY MISC FORMS/SW's

# NUM

4

E-FILE CLERICAL WORK REQUEST

REQUESTER'S NAME:

T. Scrafu

TODAY'S DATE:

9/15/17

DATE/TIME NEEDED:

CASE NUMBER:

17008575

OTHER AGENCY CASE NUMBER:

\*\*\* NOTE - ONE BLUE FORM PER DOCUMENT TO BE E-FILED IS REQUIRED \*\*\*

☒ SEARCH WARRANT

☐ COURT ORDER (Pen Register / GPS Tracker / Etc.)

☐ CONFIDENTIAL COVERSHEET (RULE 11)

CLERICAL STAFF ONLY

DATE / TIME E-FILED:

9/27/17 / 11:27

CLERICAL STAFF:

SJG

☒ SCANNED STAMPED "FILED" COPY INTO LETG

60619621

\*This form will be stapled to the original document and placed in the paper case file.

5

The facts tending to establish the forgoing grounds for issuance of a search warrant are as follows:

Your affiant, Detective Travis Serafin, has been a licensed police officer for the State of Minnesota since 2000. Your affiant is currently employed by the City of Eden Prairie as a Detective in the Police Department Criminal Division. Your affiant's primary assignment is as a Narcotics Investigator with the Southwest Hennepin Drug Task Force (SWHDTF) where he is working with other experienced narcotics officers exclusively in the area of controlled substance law violations. Your affiant has participated in search warrants, control buys and surveillance as well as arrests for law violations. Your affiant has also attended law enforcement training classes involving search and seizure, interview and interrogation and drug recognition and controlled substance laws. Your affiant has attended and completed the Drug Enforcement Administration (DEA) basic narcotics school.

Your affiant is currently involved in a criminal investigation of Timothy Martin Holmes 9/10/82 and the residence 3312 S 4<sup>th</sup> Ave #1 in Minneapolis. Details of this investigation are as follows:

On 06-16-2017 at approximately 1750 hours Eden Prairie Police Officers responded to a death investigation at 6790 Tartan Curve, Eden Prairie, Hennepin County, MN. The initial responding officers discovered MARGARET MARIE LANE deceased on her bedroom floor from what was suspected to be a drug overdose.

Your affiant was present during the initial investigation of the death scene and learned the following:

- Detectives discovered a drawer in the nightstand of LANE'S room that contained evidence of illegal drug use.
  - The drawer contained a capped empty syringe.
  - Next to that syringe was a capped "loaded" syringe.
    - That syringe contained .24g of a clear liquid substance which field tested positive for cocaine.
    - Your affiant knows from his training and experience that it is possible for field test kits to react positive for cocaine when the test substance is or contains Fentanyl.
  - Detectives also located a plastic bag with a white powder residue as well as a spoon with residue.
    - Both the bag and spoon field tested positive for cocaine.
- Detectives recovered an Apple iPhone 6 from LANE'S bedroom.

*Your affiant later received information from Det. Staff, that he received a report from the Minnesota Bureau of Criminal Apprehension Forensic Science Laboratory. In that report the BCA confirmed that the contents from both the syringe and baggie tested positive for Fentanyl.*

Officers spoke to witnesses including LANE'S parents and learned the following:

- From February 2017 to June 4<sup>th</sup>, 2017 LANE had been at several in-patient treatment facilities in California.
- LANE was being treated for heroin addiction.
- LANE returned to Eden Prairie, MN on or about June 4<sup>th</sup>, 2017 and was waiting to begin treatment in Minnesota.
- LANE was last seen alive, at home, on 06-15-2017 at 2000 hours by her father.

On 06-18-2017 your Det. Staaf confirmed that LANE'S Apple iPhone 6 was purchased and its service plan was maintained by her father. Det. Staaf obtained consent to search the Apple iPhone 6 mobile device from LANE'S father.

On or about 06-19-2017 Det. Staaf began analysis of LANE'S mobile device. Your affiant learned that the Apple iPhone 6s mobile device had IMEI: 355415077520451 and MSISDN: 9523807045 (Verizon Account)

Det. Staaf reviewed the time line report from LANE'S mobile device analysis and learned the following:

- In May 2017, prior to leaving treatment in California LANE had attempted to secure heroin immediately upon her return to MN.
- She told one dealer that she was in treatment and that she would need to build her tolerance back up.
- LANE was very concerned about the presence of Fentanyl and Carfentanil within the heroin community.
- Upon LANE'S return to MN she spoke to a suspected dealer identified in her contact list as BEN D.
- On or about 06-07-2017 LANE made arrangements to split a \$40 bag of heroin with BEN D.
  - Your affiant later spoke to LANE'S boyfriend T.D., who stated that LANE had told him about using heroin in a park that day.
- Det. Staaf observed text communications between LANE and a person identified in her contact list as BLACK.
- On 06-14-2017 at approximately 1845 hours LANE sent a text message to BLACK.
  - LANE asked BLACK if he had "a 20 or 40 [he] could toss [her] til [she] get \$\$ in a day or two."
  - BLACK responded that he could help her out but he was out of product until the following day.
- Almost immediately after learning that BLACK was out of heroin LANE texted an individual identified as DEE (T-Mobile Account 612-407-7187 in her contact list).
  - On 06-14-2017 at approximately 1852 hours LANE asked DEE if he would be willing to "do a trade."
  - DEE told LANE to "come south" and she replied that she would let him know when she was there.
  - At approximately 2033 hours LANE called DEE for 1 minute 32 seconds.
  - At approximately 2055 hours LANE called DEE for 9 seconds.
  - At 2057 LANE texted DEE "here."

Det. Staaf applied for and was granted a search warrant for DEE and LANE'S call detail records to including cell tower data. Det. Staaf confirmed that when LANE texted DEE that his mobile device was hitting off a tower within the cone of his address (as confirmed by Mpls PD report in 2017).

- Your affiant knows from data contained within LANE'S mobile device that on 06-14-2017 from 2131 hours to 2141 hours the device was connected to the WiFi at the Lake Street McDonalds.
- That McDonalds was only blocks away from DEE'S home.
- On 06-14-2017 at approximately 2152 hours LANE sent a text message to her friend T.W.
- LANE and T.W. made plans to get together that evening.
- LANE drove to where T.W. was.
- At 2201 hours LANE sent T.W. a text to come out and get her.

On 08-31-2017 your affiant and Det. Staaf interviewed T.W. about the time he spent with LANE on 06-14-2017. T.W. told us the following:

- LANE came over to his house after she picked up heroin from her source in Minneapolis.
- He was an experienced heroin user and had seen Fentanyl in the past.
- The heroin that LANE brought to him did not look right.
- The heroin was white and granular like "table salt."
- He had used Fentanyl in the past and knew to only use a small amount.
- Both he and LANE used a small amount of the heroin she brought over.
- He did not feel anything from the hit.
- LANE left his home with all the left over heroin that she bought.
- The following day LANE sent him a text saying "that shit" from last night keeps knocking me out.
- LANE asked him if he would sell the remainder to someone he didn't like.
- He did want to be around the heroin anymore because he suspected it was not good.
- The following day, on 06-16-2017, he saw posts about LANE'S death.
- He wasn't surprised because he believed that the heroin she had purchased from Minneapolis had Fentanyl in it.
- Your affiant knows from LANE'S mobile device communications that her last purchase of heroin were from DEE.
- Prior to obtaining the heroin from DEE she had actively tried to pick up heroin but was unsuccessful.

Through various investigative resources Det. Staaf and your affiant learned that DEE was actually T.M.H. who lived at an apartment near 33<sup>rd</sup> and 4<sup>th</sup> Avenue, Minneapolis, Hennepin County MN. Your affiant has observed vehicles associated with T.M.H. at that apartment complex. Recent attempts to locate T.M.H'S vehicles at that address have been unsuccessful.

Your affiant learned that T.M.H. had terminated his T-Mobile account number 612-407-7187. Your affiant knows from his training and experience that drug dealers often change their phone numbers to avoid detection by law enforcement.

Your affiant advised Det. Staaf that your affiant identified a concerned citizen who knew DEE. On 09-12-2017 your affiant interviewed the concerned citizen (CC).

The CC viewed a Hennepin County Booking photo of the person they knew as DEE. The CC recognized T.M.H. as the person they knew as DEE. The CC knew the vehicles that DEE/T.M.H. was known to drive. The CC also knew the apartment where DEE/T.M.H. had been living in. The CC told detectives that DEE/T.M.H. had a new mobile device number and that he was being very protective of it. The CC told detectives that DEE/T.M.H'S. new mobile device number was 612-601-9019. On 09-12-2017 your affiant verified that mobile device number 612-601-9019 was ported to Metro PCS. Your affiant advised Det. Staaf who applied for a Tracking order for the number (612-601-9019). The Tracking order was reviewed and signed by Judge Quam of the Hennepin County District Court.

Your affiant conducted physical surveillance at 3312 S 4<sup>th</sup> Ave, Minneapolis on numerous occasions. Your affiant observed MN Lic. 072 UHC a silver Mercedes, MN Lic. 4BP515 a silver BMW and MN Lic. 466KME a black Cadillac, and MN lic 261HWJ a black Chevrolet Monte Carlo parked in the rear on 3312 S 4<sup>th</sup> Ave., Minneapolis. Your affiant checked public Facebook page for Holmes (Martin Pig) and observed the above three vehicles in public photos with Holmes and what also matched the rear of 3312 S 4<sup>th</sup> Ave garages. Your affiant also learned from public Facebook account that Holmes is in a relationship who your affiant identified as Cybreanna Seals. Who your affiant identified as Cybreanna Laquita Seals



12/14/88. Your affiant checked law enforcement databases and learned that Seals is living at 3312 S 4<sup>th</sup> Ave #1 in Minneapolis.

On 9/13/17 during physical and electronic surveillance, your affiant observed T.M.H. exit 3312 4<sup>th</sup> Ave S and get in the driver's seat of MN lic. 261HWJ a black Chevrolet Monte Carlo, which your affiant has observed parked in the rear of 3312 4<sup>th</sup> Ave S.

Your affiant also learned from [REDACTED] from The Hennepin County Violent Offenders Task Force, who has a CI that stated T.M.H. is known to drive and sell drugs out of a black Monte Carlo and hides the heroin in the front left headliner of that vehicle. The CI also informed [REDACTED] that T.M.H. is known to carry a black handgun and also keeps that hand gun in the center console of the black Monet Carlo.

Your affiant checked law enforcement databases and learned the T.M.H was arrested and convicted in Ramsey County for 3<sup>rd</sup> Degree drug sales in 2002, in 2012 arrested in Ramsey County for Disorderly Conduct, in 2007 arrest on 1<sup>st</sup> Degree Controlled substance in Hennepin Co., in 2010 arrested in Hennepin Co. for DWI. T.M.H. has also been arrested for multiple traffic violations.

Your affiant checked local law enforcement databases and learned that Holmes listed 3312 S 4<sup>th</sup> Ave #1 in Minneapolis as his residence on police reports and other law enforcement databases.

Your affiant believes that there are is money and documents and electronics related to narcotic sales inside 3312 S 4<sup>th</sup> Ave #1 in Minneapolis.

Your affiant knows through training and experience that individuals involved in illegal narcotics trafficking often use cellular phones, computers, camera, thumb drives, and other electronic devices to communicate and store information related to their illicit activities. Your affiant is aware that often times it is necessary to use electronic tools and software to obtain/recover the information from these devices. Your affiant is also aware that it is a time consuming task and would not be able to properly done at the scene. Therefore, your affiant respectfully requests the authority to examine these devices and associated media storage at the scene and/or at another location within Hennepin County as may be necessary with proper equipment for capturing data from these devices.

Based on your affiants training and experience, your affiant knows that drug transactions most frequently involve cash. Because of the illegal nature of the transactions, those dealing in the drug trade do not report income tax records. Notes are frequently seized which lists prices of drugs with reference of price per unit of measurement. Comparing this information to bank deposits or other financial transactions and the subsequent documents often reveals the amount of monies earned by drug dealer.

Based on your affiants training and experience, your affiant knows that drug dealers often attempt to conceal their illegal narcotic sales by using alternate locations. Your affiant knows that drug dealers often use alternate addresses to avoid law enforcement detection. Your affiant is aware that documents listing to individuals with alternate residences are commonly found.

Your affiant knows from training and experience that drug dealers typically keep the money from drug sales in safe houses to avoid detection from law enforcement and to prevent being robbed.

You affiant knows through training and experience that individuals involved in illegal narcotics trafficking often use cellular phones, computers, cameras, thumb drives and other electronic devices to communicate and store information related to their illicit activities. Your affiant is aware that often times it is necessary to use electronic tools and software to obtain/recover the information from these devices.

Your affiant is also aware that it is a time consuming task and would not be able to properly be done at the scene. Therefore, your affiant respectfully requests the authority to examine these devices and associated media storage at the scene and /or at another location within Hennepin County as may be necessary with proper equipment for capturing data from these devices.

Based on your affiant's training and experience, your affiant knows that drug dealers often store names, phone numbers and similar information in the memories of cellular telephones, pagers and computers.

Based on your affiant's training and experience, your affiant knows that controlled substances are typically sold by weight and that those dealing in quantities of controlled substances use scales and packaging equipment for their illicit transactions. Your affiant is aware that controlled substances are often packaged in corners of plastic bags.

Based on your affiant's training and experience, your affiant knows that people who are involved in the distribution of narcotics often times use firearms to protect their narcotics and proceeds derived from the sale of narcotics. Often time's firearms are well hidden and are not disposed of quickly unless there is a threat of detection by police.

Based on your affiant's training and experience, your affiant knows that drug transactions most frequently involve cash. Because of the illegal nature of the transactions, those dealing in the drug trade do not report income on tax returns. Notes are frequently seized which list prices of drugs with reference of price per unit measurement. Comparing this information to bank deposits or other financial transactions and the subsequent documents often reveals the amount of monies earned by drug dealers.

Based on the aforementioned facts, your affiant requests a daytime unannounced search warrant for Timothy Martin Holmes 09/10/82 and 3312 4<sup>th</sup> Ave S#1, located in the city of Minneapolis Minnesota, to include all items listed within the scope of the search warrant.



STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

STATE OF MINNESOTA )  
 )  
COUNTY OF HENNEPIN )

SS:

APPLICATION FOR SEARCH WARRANT AND  
SUPPORTING AFFIDAVIT

**Det. Travis Serafin** being first duly sworn upon oath, hereby makes application to this Court for a warrant to search the (premises) (motor-vehicle) (person) hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true to the affiant's own knowledge, save as to such as are herein stated on information and belief, and as to those, affiant believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

**Controlled substances to include, but not limited to; Heroin. Packaging equipment such as baggies, tin foil, knives, spoons, razors and scales. Documents, notes, papers, ledgers, pagers, computers including hard drives, peripherals and removable storage media, and videotapes, mobile phones and similar electronic devices that may be used to communicate for the purpose of drug transactions and/or to store electronic data related to drug trafficking such as names, phone numbers, call history, images or audio recording of drug trafficking, written or typed messages and the authority to examine these devices and associated media storage at the scene or at another location within Hennepin County as may be necessary with proper equipment for capturing data from these devices. Monies to show profit of the sale of controlled substances. Documents, receipts, letters, bills and identification to show constructive possession of the items seized. Firearms.**

(are) (will be)

(at the premises) (in the motor-vehicle) (on the person) described as:

**3312 4th Ave S Apt.#1, Mpls,  
Timothy Martin Holmes  
09/10/1982  
Black male, 5'11", 295 lbs.**

Located in the City of **Minneapolis**, County of **HENNEPIN**, and State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

1. ~~The property above described was stolen or embezzled.~~
2. ~~The property above described was used as means of committing a crime.~~
3. The possession of the property above described constitutes a crime.
4. ~~The property above described is in the possession of a person with intent to use such property as a means of committing a crime.~~
5. The property above described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

A nighttime search outside the hours between 7:00 AM and 8:00 PM is necessary to prevent the loss, destruction or removal of the objects of the search or to protect the searchers or the public because:

NA

An unannounced entry is necessary to prevent the loss, destruction or removal of the objects of the search and to protect the safety of the peace officers because:

**Due to the threat of a firearm, violent history and the close proximity of neighbors and a school, a SWAT team will be executing the search warrant. A unannounced entry would assist in public, officer, and suspect safety in order to inhibit the amount of time for suspects to obtain a weapon.**

WHEREFORE, Affiant requests a search warrant be issued, commanding Det. Serafin and all other officers under their direction and control, peace officers, of the State of Minnesota, (to enter without announcement of authority and purpose) (between the hours of 7:00 AM and 8:00 PM only) (between the hours of 7:00 AM and 8:00 PM or a nighttime search outside these hours) to search the hereinbefore described (premises) (motor vehicle) (person) for the described property and things and to seize said property and things and keep said property and things in custody until the same be dealt with according to law.

Subscribed and sworn to before me this  
14<sup>th</sup> day of Sept 2017.

Affiant

Judge of District Court

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

TO: Det. Serafin, [REDACTED] and all other officers under their direction and control, PEACE OFFICERS OF THE STATE OF MINNESOTA.

WHEREAS, Det. Travis Serafin has this day on oath, made application to the said Court applying for issuance of a search warrant to search the following described (premises) (motor-vehicle) (person):

**3312 4th Ave S Apt.#1, Mpls,  
Timothy Martin Holmes, 09/10/1982, Black male, 5'11", 295 lbs.**

located in the City of **Minneapolis**, County of **HENNEPIN**, STATE OF MINNESOTA for the following described property and things:

Controlled substances to include, but not limited to, Heroin. Packaging equipment such as baggies, tin foil, knives, spoons, razors and scales. Documents, notes, papers, ledgers, pagers, computers including hard drives, peripherals and removable storage media, and videotapes, mobile phones and similar electronic devices that may be used to communicate for the purpose of drug transactions and/or to store electronic data related to drug trafficking such as names, phone numbers, call history, images or audio recording of drug trafficking, written or typed messages and the authority to examine these devices and associated media storage at the scene or at another location within Hennepin County as may be necessary with proper equipment for capturing data from these devices. Monies to show profit of the sale of controlled substances. Documents, receipts, letters, bills and identification to show constructive possession of the items seized. Firearms.

WHEREAS, the application and supporting affidavit of Det. Travis Serafin (was) (were) duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds:

1. ~~The property above described was stolen or embezzled.~~
2. ~~The property above described was used as a means of committing a crime.~~
3. The possession of the property above described constitutes a crime.
4. ~~The property above described is in the possession of a person with intent to use such property as a means of committing a crime.~~
5. The property above described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The Court further finds that probable cause exists to believe that the above-described property and things (are) (will be) (at the above-described premises) (in the above-described motor-vehicle) (on the person of **Timothy Martin Holmes**).

~~The Court further finds that a nighttime search outside the hours between 7:00 AM and 8:00 PM is necessary to prevent the loss, destruction, or removal of the objects of said search, or to protect the searchers or the public.~~

The Court further finds that entry without announcement of authority or purpose is necessary to prevent the loss, destruction, or removal of the objects of said search and to protect the safety of the peace officers.

NOW, THEREFORE, YOU, Det. Serafin, [REDACTED]

[REDACTED] AND ALL OTHER OFFICERS UNDER THEIR DIRECTION AND CONTROL, THE PEACE OFFICER(S) AFORESAID, ARE HEREBY COMMANDED (TO ENTER WITHOUT ANNOUNCEMENT OF AUTHORITY AND PURPOSE) (BETWEEN THE HOURS OF 7:00 AM AND 8:00 PM ONLY) (BETWEEN THE HOURS OF 7:00 AM AND 8:00 PM OR A NIGHTTIME SEARCH OUTSIDE THOSE HOURS) TO SEARCH (THE DESCRIBED PREMISES) (THE DESCRIBED MOTOR VEHICLE) (THE PERSON OF **Timothy Martin Holmes 9/10/82**) FOR THE ABOVE-DESCRIBED PROPERTY AND THINGS, AND TO SEIZE SAID PROPERTY AND THINGS AND (TO RETAIN THEM IN CUSTODY SUBJECT TO COURT ORDER AND ACCORDING TO LAW) (DELIVER CUSTODY OF SAID PROPERTY AND THINGS TO South West Hennepin Drug Task Force Evidence Vault and the BCA).

BY THE COURT:

JUDGE OF DISTRICT COURT

Dated

9/14/17

7

**From:** Travis Serafin  
**Sent:** Friday, September 22, 2017 6:20 AM  
**To:** Heidi Stahnke; Police Records  
**Cc:** Carter Staaf  
**Subject:** Re: Timothy Holmes 17-020941  
**Attachments:** DNA SearchWarrantSummary.pdf; Evidence 17008575-09222017055303.pdf; Filed SW 17008575-09222017055757.pdf; Hutchins.DSS

See attached Files. I will be also bringing the SW Photos to you.

Travis

**From:** Heidi Stahnke <Heidi.Stahnke@hennepin.us>  
**Sent:** Wednesday, September 20, 2017 4:14:15 PM  
**To:** Police Records  
**Cc:** Travis Serafin; Carter Staaf  
**Subject:** Timothy Holmes 17-020941

Hi all,

I think I have just about everything covered here, if there is anything additional that you have not listed, please send (with the exception of crime lab and ME materials which I will receive directly).

- 911 audio and CAD report
- Fire dept reports
- Ambulance reports
- Scene photos taken by EPPD, if any
- Squad video
- Search warrant results for Verizon and T Mobile
- Minneapolis report identifying Holmes
- DVS printout for Holmes showing address
- Lane's cell exam
- Audio of Duncan
- Audio of Goodman
- Audio of Wegleitner
- Digital copies of screenshots taken from Wegleitner's phone
- Results from SW to "track" Facebook account martin.pig.549
- Results from SW to 'track' Metro PCS 612-601-9019
- Search warrant photos
- Copy of photos taken by HCSO from Search warrant(s)
- Arrest transport video, if any
- Audio/video of Holmes interview
- Photos of Lane shown to Holmes
- Any squad or bodycam recordings of Holmes arrest
- Any audio or video recordings of surveillance in locating Holmes

- SW for vehicles and Vehicle SW photos
- Hutchins scales audio
- Holmes SW for buccal
- Audio of Nicole Goodman (all recordings)
- Audio of Christopher and Maradee Lane (all recordings)
- Audio of Tanner Duncan
- Cell tower and CDR search warrants (all)
- Results from all SW not listed here
- Any additional audio from witnesses or informants not listed above
- Any additional photos not listed above
- Any additional cell exams and search warrants not listed above

Thank you,

Heidi Stahnke, Paralegal  
 C-2100 Government Center  
 Minneapolis, MN 55487  
 MC 510  
 612-348-5877  
[Heidi.stahnke@hennepin.us](mailto:Heidi.stahnke@hennepin.us)

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## STATE OF MINNESOTA, COUNTY OF HENNEPIN

## DISTRICT COURT

STATE OF MINNESOTA )  
 )  
 COUNTY OF HENNEPIN )

SS:

APPLICATION FOR SEARCH WARRANT AND  
SUPPORTING AFFIDAVIT

**Det. Travis Serafin** being first duly sworn upon oath, hereby makes application to this Court for a warrant to search the (premises) (motor vehicle) (person) hereinafter described, for the property and things hereinafter described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true to the affiant's own knowledge, save as to such as are herein stated on information and belief, and as to those, affiant believes them to be true.

Affiant has good reason to believe, and does believe, that the following described property and things, to wit:

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(are) (will be)

(at the premises) (in the motor vehicle) (on the person) described as:

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**Timothy Martin Holmes**  
**09/10/1982**  
**Black male, 5'11", 295 lbs.**

Located in the City of **Minneapolis**, County of **HENNEPIN**, and State of Minnesota.

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2. ~~The property above described was used as means of committing a crime.~~
3. The possession of the property above described constitutes a crime.
4. ~~The property above described is in the possession of a person with intent to use such property as a means of committing a crime.~~
5. The property above described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

[REDACTED]

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**From:** Travis Serafin  
**Sent:** Thursday, October 05, 2017 11:11 AM  
**To:** Heidi Stahnke  
**Subject:** Re: Timothy Holmes 17-020941

Heidi,

The vehicles were searched at residence and photos were attached to that. I sent you the filed sw and it states we can search all vehicles connected to residence. There is no squad/audio video of arrest and no squad/audio of surveillance locating Holmes.

Travis

Sent from my iPhone

On Oct 5, 2017, at 10:47, Heidi Stahnke <[Heidi.Stahnke@hennepin.us](mailto:Heidi.Stahnke@hennepin.us)> wrote:

Good morning,

Please see the highlighted items below, still need

Thank you,

Heidi Stahnke, Paralegal  
C-2100 Government Center  
Minneapolis, MN 55487  
MC 510  
612-348-5877  
[Heidi.stahnke@hennepin.us](mailto:Heidi.stahnke@hennepin.us)

10

**From:** Travis Serafin  
**Sent:** Thursday, November 30, 2017 6:59 AM  
**To:** Heidi Stahnke  
**Cc:** Police Records; Carter Staaf; Michael Radmer  
**Subject:** Re: Timothy Holmes 17-020941

The sw for Holmes residence included the vehicles under the curtilage and Holmes girlfriend cybeanna was detained coming from the vehicle during the execution of the search warrant. You should have all those photos with the residence search warrant photos. If not I'll be back in town dec 11th and will get them to you.

Travis

Sent from my iPhone

On Nov 29, 2017, at 17:43, Heidi Stahnke <[Heidi.Stahnke@hennePin.us](mailto:Heidi.Stahnke@hennePin.us)> wrote:

Hi Carter, please see the following few remaining items for this case

Thank you,

Heidi Stahnke, Paralegal  
C-2100 Government Center  
Minneapolis, MN 55487  
MC 510  
612-348-5877  
[Heidi.stahnke@hennePin.us](mailto:Heidi.stahnke@hennePin.us)

**From:** Heidi Stahnke  
**Sent:** Wednesday, September 20, 2017 4:13 PM  
**To:** [policerecords@edenprairie.org](mailto:policerecords@edenprairie.org)  
**Cc:** [tserafin@edenprairie.org](mailto:tserafin@edenprairie.org); 'Carter Staaf' <[CStaaf@edenprairie.org](mailto:CStaaf@edenprairie.org)>  
**Subject:** Timothy Holmes 17-020941

Hi all,

I think I have just about everything covered here, if there is anything additional that you have not listed, please send (with the exception of crime lab and ME materials which I will receive directly).

- 911 audio and CAD report
- Fire dept reports
- Ambulance reports Please follow up with a SW to HCMC
- Scene photos taken by EPPD, if any
- Squad video
- Search warrant results for Verizon and T Mobile
- Minneapolis report identifying Holmes
- DVS printout for Holmes showing address
- Lane's cell exam
- Audio of Duncan You indicated you were looking for this recording
- Audio of Goodman



11

**From:** Travis Serafin  
**Sent:** Monday, January 29, 2018 9:06 AM  
**To:** Michael Radmer  
**Subject:** Re: Timothy Holmes

Mike, I'll give you a call after super bowl brief.  
Travis

Sent from my iPhone

On Jan 29, 2018, at 08:58, Michael Radmer <[Michael.Radmer@hennePin.us](mailto:Michael.Radmer@hennePin.us)> wrote:

Travis – there are two search warrants for Holmes' residence. Can you put a supp in detailing why that is?

**Mike Radmer**  
Assistant County Attorney  
(612) 348-4312

**Disclaimer:** If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly delete this message from your computer system.

**From:** Travis Serafin  
**Sent:** Tuesday, February 13, 2018 9:20 AM  
**To:** Michael Radmer  
**Subject:** Re: Holmes supp  
**Attachments:** Supp-02132018091707.pdf; Holmes Filed Warrant-01302018091116.pdf

Here it is, let me know if it makes sense or we need it tweaked. Also see attached Filed SW by me through our records as HC.

Travis

---

**From:** Michael Radmer <Michael.Radmer@hennepin.us>  
**Sent:** Tuesday, February 13, 2018 8:28:07 AM  
**To:** Travis Serafin  
**Cc:** Heidi Stahnke  
**Subject:** Holmes supp

Apparently we no longer have access to LETG. Can you email me that new supp?

**Mike Radmer**  
Assistant County Attorney  
(612) 348-4312

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(13)

**Supplemental Report**

02-13-2018

**ICR:**17008575 (Hennepin County Sheriffs Office)**Created By:** Serafin, Travis**Last Modified By:** Serafin, Travis**Title:**Follow-Up/T.Serafin#1331**HENNEPIN COUNTY SHERIFF'S OFFICE  
SOUTHWEST HENNEPIN DRUG TASK FORCE  
INVESTIGATIVE REPORT  
CASE #17008575**

This report is typed by Det. Travis Serafin of the SWHDTF.

**DETAILS**

During the investigation, I had 2 versions of a warrant for Holmes person and the property at 3316 4th Ave s #1 in Minneapolis. The warrants were reviewed and signed by Judge Quam of the Hennepin County District court. I had both versions signed at the same time. The version that included the vehicles and outbuilding associated with the property was the final version of the warrant. That is the version that the warrant was executed under and filed with Hennepin County by me.

End of Report

STATE OF MINNESOTA )  
COUNTY OF HENNEPIN )

SS:

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SUPPORTING AFFIDAVIT

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14

1 C. Do you recognize what that item is?

2 A. Yes, it's a Hennepin County search warrant draft.

3 Q. And is that something that you created during the  
4 course of this investigation?

5 A. Yes.

6 MR. RADMER: I'd offer Exhibit Number C.

7 MR. GOETZ: No objection.

8 THE COURT: Okay. Received.

9 BY MR. RADMER:

10 Q. Now, Detective, between B, the first one you saw, and  
11 C, the one I just showed you, why were there two  
12 search warrants drafted for the same address, for 3312  
13 4th Avenue?

14 A. Basically, the first one I saw, B, was a second draft  
15 that added in the curtilage and all vehicles and such  
16 that encompasses that property.

17 Q. Do you know how the second one made its way to Judge  
18 Quam for a signature?

19 A. Yes, they both ended up going to Judge Quam, and once  
20 I realized that, I had them both signed at the same  
21 time.

22 Q. I guess, between those two, which one was the one you  
23 were intending to execute on the target address?

24 A. The one that had the curtilage encompassing the target  
25 address, the one I filed.

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

STATE OF MINNESOTA )

SS:

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COUNTY OF HENNEPIN )

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APPLICATION 1-1

STATE OF MINNESOTA, COUNTY OF HENNEPIN

DISTRICT COURT

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 )  
COUNTY OF HENNEPIN )

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Timothy Martin Holmes  
09/10/1982  
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Document1



(15)

1 These look literally identical.

2 THE WITNESS: Right. Yeah, yeah.

3 THE COURT: I mean, you're saying you and he  
4 signed two search warrants. This looks like it's  
5 exactly the same one. Is it or isn't it? Or you  
6 don't know?

7 THE WITNESS: I don't know. It looks like  
8 it's exactly the same one, and I'm trying to recall  
9 how I -- I had multiple copies ready to go.

10 THE COURT: Well, it's kind of important  
11 because if they're identical, and it was only signed  
12 once -- I mean, did you add the other part of the  
13 searching the curtilage and the car and just put this  
14 signature from the other one on to that one? I mean,  
15 it's kind of a serious accusation.

16 THE WITNESS: Right. Yeah. No, no.

17 THE COURT: But they look exactly the same.

18 THE WITNESS: Yeah.

19 THE COURT: Meaning it looks like it was  
20 signed once.

21 THE WITNESS: Right, right. And I'm trying to  
22 recall the day we were in there and making all that  
23 happen. I wrote multiple, and I just can't -- with  
24 all of them laying out in front of me, I'm trying to  
25 recall if it was the two signed or the one signed, and



16

**From:** Travis Serafin  
**Sent:** Friday, February 23, 2018 10:42 AM  
**To:** Michael.Radmer@hennepin.us  
**Subject:** Holmes case

Mike, will the judge basically rule if the search warrant is within the scope and search of vehicle and when will we know his ruling? At that point if allowed in do I have to retestify or if not allowed by judge do we drop and there is no longer an issue or Brady stuff to think about? Eating me up

Travis

Sent from my iPhone

[REDACTED]

**From:** Travis Serafin  
**Sent:** Saturday, February 24, 2018 1:29 AM  
**To:** Travis Serafin  
**Subject:** Fw: Holmes Case

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

---

**From:** Travis Serafin  
**Sent:** Saturday, February 24, 2018 1:28 AM  
**To:** Michael Radmer  
**Subject:** Holmes Case

Mike,,

As I dig further into the issue the defense raised and Judge Karasov pointed out about the signed pages being identical. I looked back at the case and dug deeper into my actions on the 14th when the warrant was signed and the 15th when it was executed. I testified that I had 2 warrants signed when as I recall the events while reviewing the case further (after Rasmussen hearing) I may have only had 1 warrant signed the filed warrant. I recalled the VOTF office because I believe I corrected the problem there prior to getting it signed. In my haste to get the documents for charging the 1st page of the application without the curtilage was inadvertently added to my file by me (due to multiple drafts in my working file) and I corrected the issue with the correct one to be filed with court (Page 1 with curtilage) with the supporting documents of the search warrant.

Going forward is there any way to correct this, because I think it appears that I altered a document and now I testified to 2 warrants being drafted, when in fact I had multiple draft pages in my working file and the warrant filed was what I had signed. And now there is a report saying I had 2 warrants signed, when I did not dig deep enough into the issue prior to writing the report and the hearing (no excuse for that but I should have been more prepared and thorough) and it not jogging my memory until after court when I dug deeper into it and reviewed the evidence better as the defense and judge raised.

I am concerned about the I Franks part and me being labeled as a liar like Goetz stated and then rephrased. I also don't want Judge Karasov to question my credibility in this case or others.

Do I need to draft a new report stating these facts or is it to late and the issue is the documents and evidence in vehicle being suppressed and not my credibility that could effect me in the future on the stand.

Feel free to call me on this on my cell at [REDACTED]

Travis Serafin